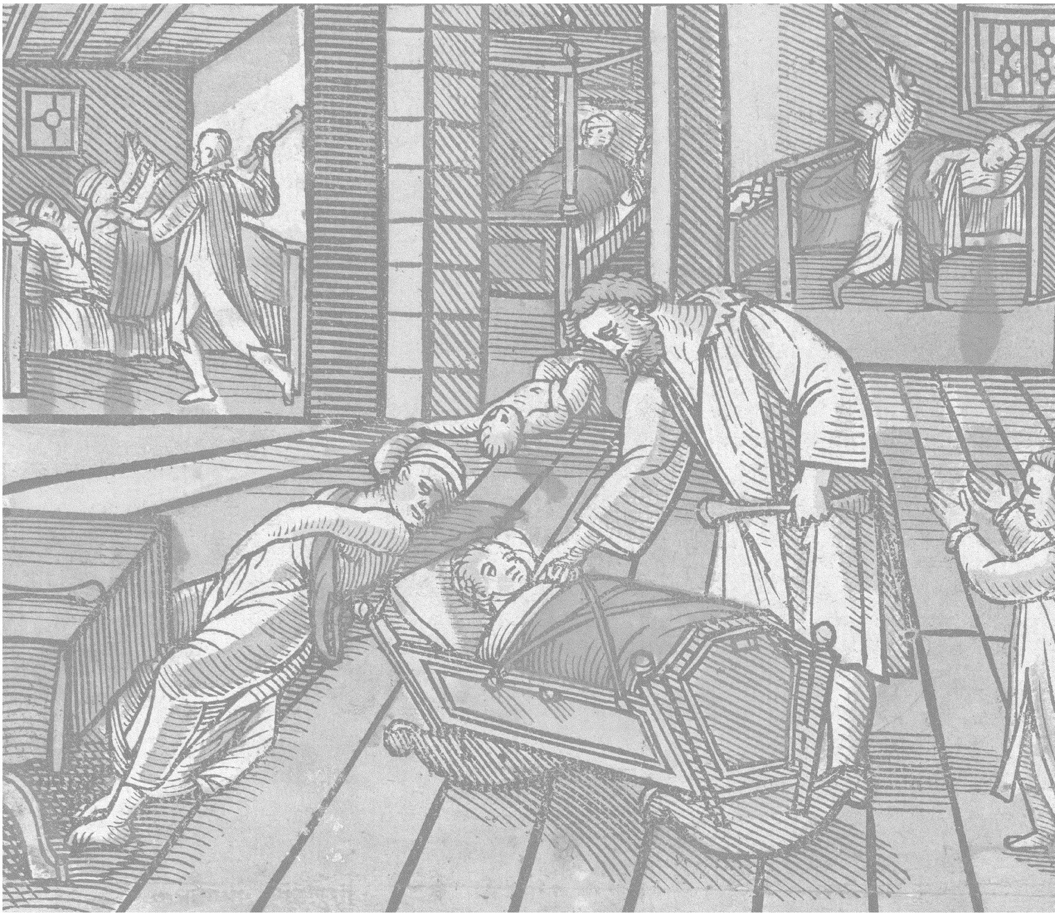
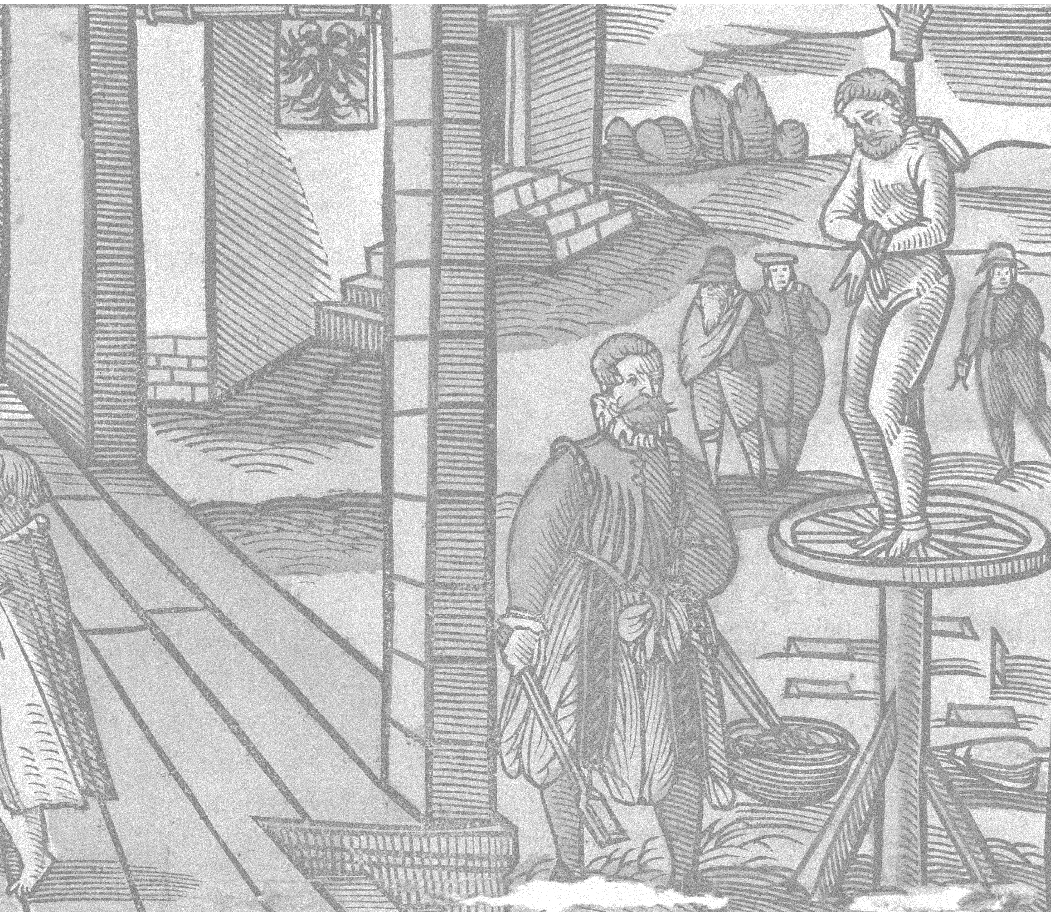
CRIME AND CULTURE IN EARLY MODERN GERMANY



Crime and Culture

STUDIES IN EARLY MODERN GERMAN HISTORY
H. C. ERIK MIDELFORT, EDITOR



IN EARLY MODERN GERMANY

Joy Wiltenburg

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CRIME AND CULTURE IN EARLY MODERN GERMANY

Introduction

THIS BOOK, LIKE ALL WORKS OF HISTORY, IS BORN OF ENGAGEMENT with both the past and the present. It was initially conceived in the 1990s, when crime in the United States gained prominence as both a social problem and a political tool. From the famous "Willie Horton" ad of the 1988 presidential campaign to the burgeoning "three strikes" laws mandating longer sentences, the assertion of "toughness" against crime powerfully supported conservative political agendas. Fears of crime shaped the social landscape as well: raising a family in urban Philadelphia, I saw many choose the "safer" suburbs. Although crime is obviously real, the operative factor in these political and social decisions was not reality but representation. A telling study cited by the *Philadelphia Inquirer* found that consumption of television news reports greatly distorted people's perceptions of crime. Although all respondents overestimated the incidence of crime and their own likelihood of becoming victims, those who watched the least came closest to the true figures.[1] In fact, the 1990s saw declining crime rates across the United States. Representation, not direct experience, shaped people's conception of reality. Further, the sense of reality was constructed not by reason or the accumulation of facts, but rather by vicarious experience—by the imagination.

I found here a spur to historical questioning. How have representations of crime, so powerful in my own world, operated in the past? What may historians have been missing by neglecting or marginalizing them and focusing on seemingly more important, factually verifiable historical records?

With the spread of printing in early modern Germany, crime became a subject of wide public discourse. This of course was not the modern mass public of instant communication and political participation. Nevertheless, depictions of crime were similarly linked to broader cultural views. Then as now, the issue of crime was inherently political and emotionally charged. Exploration of its faces in different early modern genres leads to both the familiar and the strange. The study suggests, as modern experience might lead one to expect, that the rational and explicit must be laid alongside the emotive and unspoken to be fully understood.

Crime and Culture

Crime stories have a peculiar power. From the whodunits of detective fiction to the maxim "if it bleeds, it leads" in television news, crime grips our attention. The stuff of high tragedy—what would Hamlet be without murder?—as of the humble tabloid, the fascination of criminal violence crosses genres and cultural levels. It also crosses historical periods, linking modern society with its forebears, yet separating them too. Crime touches the most basic human values of life and death, taboo and violation, self and other—even as it mobilizes political institutions for the maintenance of order and punishment. Although perennially absorbing, the narration of crime is not merely a reflection of humanity's timeless taste for gore. Instead, it changes substantially from one culture to another and one time to another, a reflection of the distinctive values, fears, and experience of its time and place.

The early modern period offers an especially fruitful field for exploring such shifting meanings. This was a pivotal moment in the history of crime, as changes in society, law, and religion converged at the close of the Middle Ages. It was also a turning point for crime stories, as the new technology of printing offered means of spreading them to new audiences and developing new genres of public discourse. These modes of representation reflected changes in the world around them, but they were not merely passive recorders. Their ways of reconstructing the scenes of crime and punishment contributed their own meanings to events both real and imagined.

In recent decades, social historians have made great strides in illuminating the history of crime. Combing the archives for crimes from witchcraft to murder to blasphemy, this scholarship provides an increasingly rich picture of the facts of early modern crime and punishment. My study benefits tremendously from this ongoing work but has a different aim. While it is crucial for historians to uncover past social realities, the facts are not the only things that matter. Because people care about it so deeply, crime has much to tell us about people's thinking. Historians have made effective use of criminal records to probe mentalities, with striking new insights into the views of those on the receiving end of justice. But for most people, in the sixteenth century as in the twenty-first, exposure to crime has come primarily through representation. This is a very good thing; no one could wish for more widespread direct experience, especially of the violent crimes that are the most frequent subjects of discourse. It means, however, that the cultural meanings of crime are powerfully shaped by the way crime is depicted and imagined. To examine how crime affected people's thinking about social relations, God, or the human self, discourse and representation are at least as important as records of events.

Crime is constituted by law and is one of the pillars of justification for political rule. For Martin Luther, the main function of government was control of the ungodly, whether Turks or homegrown evildoers. Criminal justice was a key area of expansion as governments worked to consolidate more effective and centralized rule at the close of the Middle Ages. This was a European-wide development that brought changes in both law itself and the means of administering it. Gradually, from at least the twelfth century on, governments took on increasing responsibility for the maintenance of order. In the early Middle Ages, criminal justice had been largely a matter of mediation between opposing parties, accuser and accused. Prosecution was brought by private suit rather than by government officials. If there was no plaintiff, there was no case. To further put a damper on enforcement, medieval law typically placed the complainant under threat of punishment himself if he failed to prove his charge. This discouraged frivolous lawsuits and, as historians have noted, was a significant curb on trials for witchcraft, a crime so difficult to substantiate. But it could also make it easier to get away with murder.

In the later Middle Ages, government increasingly took the initiative, with crime seen not just as damage to an individual, but also as violation of the order established by authority. Henry II of England made an early move toward a more activist role for government with the innovation of the grand jury in the twelfth century. In continental Europe, the move toward governmental initiative took a different track, with the spread of legal principles drawn from Roman and canon law. In the new "inquisitorial" judicial style, officials took responsibility for identifying a crime, investigating the circumstances, prosecuting the criminal, reaching a judgment, and administering sanctions. This increasingly dominant model of justice involved far-reaching changes in personnel, modes of proof, and severity of punishment.

Under the old model of accuser and respondent, one could establish guilt or innocence by means of ordeal or oath. God, the assumption was, would uphold the right by these means. But the Church repudiated the ordeal in the thirteenth century, lending its sanction instead to the rational standards of evidence used in canon and Roman law. In this system, increasingly elaborated by experts, legal proof was not a vague matter of persuasion. Strict rules determined the weight of different elements of testimony. Unless someone was caught red-handed with adequate witnesses, the rules made it difficult to acquire the proof necessary for conviction without a confession from the criminal. Because of this, the newly rational justice brought an innovation ironic to modern eyes: the regular use of torture to extract the truth. Here, too, rules were developed with the aim of preventing abuse: specific levels of partial proof were to be met before torture could be applied; its application was to be limited and measured according to the severity of the crime and degree of suspicion; and the confession elicited by torture was to be confirmed "freely" afterward.[2]

Torture applied in this way technically was not punishment, although it was used on those presumed guilty. It was part of the trial, a means of establishing the grounds for punishment. Just as torture clearly placed the accused in a far worse position than under the old "accusatory" justice, punishments came to involve increasing physical damage. Many people think of harsh punishments as medieval, but in fact, it was the first steps toward modernity that brought physical torment into its widest judicial use. Punishment of the body was linked with damage to a person's honor and increasing social exclusion of those deemed guilty. Early medieval systems of private justice had tended toward penalties that provided compensation for damage. In homicide, the old Germanic custom of wergild had prescribed a money payment to satisfy the family of the victim. Failing such payment, families would seek to exact private vengeance. By the fourteenth century, there was public prosecution for such crimes as murder, but customs of accommodation with injured parties survived alongside public justice into the sixteenth century.[3] As governments increasingly defined the lawbreaker as deserving direct punishment, executions rose in frequency, reaching their height in the sixteenth century. They were carefully scripted rituals, from the formal reading of the verdict to the route and means of transport to the place of execution and the specific modes of punishment. For especially heinous crimes, mutilations were frequently inflicted on the body of the condemned before or after death. Other felons, the more deserving, might be granted a special act of mercy: they were simply beheaded. The spectacle offered a striking dramatization of the power of the state.

The Holy Roman Empire held political authority over most of the German-speaking areas examined in this study. Less centralized than such developing states as France or England, it presided over a huge variety of smaller political bodies with myriad juridical practices and levels of independence. Here the spread of the new judicial model was uneven but received a substantial boost from imperial initiatives of the late fifteenth and early sixteenth centuries. The General Peace of 1495 coincided with the establishment of central appeals courts for civil matters, clearly asserting the state's authority to maintain order and resolve conflicts. Feuding by the nobility was banned. Now, at least in theory, only government could make legitimate use of violence; all the rest was crime. Even more closely associated with the new criminal justice was the movement for legal reform that culminated in the Carolina, the imperial law code of 1532. This document set a standard that held on into the eighteenth century, its model of rational justice both authoritative and widely persuasive (see chapter 2). And even as the Carolina dealt with the most serious crimes, both empire and localities issued increasingly careful ordinances aimed at controlling a wider range of offenses.

The high profile of crime in this period was not only a matter of greater attention from above, however. Changes in society itself fostered an apparent increase in crime, and certainly a perception of increased threat. By the late fifteenth century, Europe had recovered from the population losses caused by the Black Death of the fourteenth century. In the sixteenth century, both population and prices rose dramatically. A rising wave of early capitalism brought prosperity for those on top but swamped many. The growing population brought increased competition for jobs, increased mobility, and, already by the early sixteenth century, increased anxiety about beggars and vagrants—"masterless men" who might threaten respectable burghers. Local governments were increasingly hostile to vagrants as a likely breeding ground for crime—the solution being to push them into the next jurisdiction. Fears of *Mordbrenner* (organized bands of arsonists) fastened on rootless wanderers, greatly exaggerating their destructiveness. Economic conditions for the poor, already precarious early in the century, worsened notably after about 1570. At the same time that inflation cut increasingly into real wages, climatic change brought a period of unusually harsh weather. In the Little

Ice Age that started in the 1570s and continued into the first decades of the seventeenth century, harvest failures caused severe hunger and disease. Reports of crime, as of witchcraft, reached their height during this period of most intense social dislocation.[4]

The heightened resonance of crime was fed also by religious upheaval. Crime, as an extreme form of sin, always had religious associations. Violation of law was a human analogue to the sinner's violation of God's law. The state was God's lieutenant on earth, distantly mirroring divine retribution. At the same time, punishment could purge the community of egregious sin and thus avert divine wrath. In the violent deeds that dominated discourses of crime, the influence of the Devil could seem practically palpable. Naturally, the religious of all persuasions were horrified by criminal violence, but Protestants were especially active in mining it for religious meaning. Both a sign of human depravity and a field for the redemptive power of grace, crime could serve as a "living sermon." In the atmosphere of demonic threat and apocalyptic expectation of the late sixteenth century, crime could confirm both fears and hopes.

In spite of increased governmental vigilance against crime, fear of crime became more widespread. At least part of the growing consciousness of crime may have been a response to increased criminal activity, particularly in the hard years of the late sixteenth century. But at the same time, stricter enforcement itself raised crime's public profile. Historical studies of medieval violence suggest that occurrences that moderns would label crime were most widespread in the centuries before the early modern crackdown. The late Middle Ages may well have been the heyday of homicide.[5] Acts of violence were less likely to be prosecuted, however, and therefore less likely to reach widespread public attention except through rumor. Public punishment by governments newly intent on suppressing disorder made crime starkly visible. Executions obviously were the most dramatic spectacles, but there were others. For lesser crimes there were rituals of public mutilation and shaming. And both execution and mutilation could leave lasting visible signs. A missing ear or brand marked the criminal as a permanent outcast. For the most heinous crimes, bodies or body parts of the condemned were left on public display to rot. This was considered the most shaming of penalties, with its denial of Christian burial and exposure to vermin; it was also a constant reminder of both crime and punishment.

The public view of crime was magnified still more by the new technology of printing, which brought images and narration of not only punishment but also crimes themselves to a wider audience than ever before. Of course, crime had always provided material for narrative in oral and written form, but the new medium offered unprecedented means of spreading common messages. In particular, early forms of journalism relayed news of crimes as well as other noteworthy events. These created new uses for crime stories that were hardly practicable in a world of manuscript. To think about the uses and meanings of public printed crime discourse, it is helpful to compare different kinds of crime texts. In the new system of justice, increasing volumes of crime narrative were created with a clear instrumental purpose: the documented testimony, and in particular the criminal's officially recorded confession, clinched the conviction and proved that proper rational procedure had been followed. Read in public before execution, the confession also demonstrated the efficacy and righteousness of punitive action. Narratives designed to address the public of print, removed from the physical scenes of crime and punishment, built on the structures and sometimes even the words produced by officialdom. Printed works shared much in outlook and aim with the administration of criminal justice, but they also moved in new directions.

Crime reports in print relied on the imagination to reconstruct the horrors of both illicit and legal violence. To appeal to their wide audience, many used rhetorical means to intensify emotional response, developing early forms of sensationalism. Of course, governmental authorities, building on rational procedure and practical effectiveness, could also draw on horror and religious awe in staging the scenarios of punishment. Certainly, the rousing of fear in would-be criminals was an explicit goal of the carefully calibrated torments inflicted at executions. But printed texts involved a different kind of orchestration of response. In their most basic form, they could reproduce the execution on paper, with or without an account based on the official confession, to echo the simplest message sent by governments through public punishment: behave or else.

Entering the realm of representation is never a simple matter, however. As authorities found even with their carefully scripted executions, crowds and also meanings could slip out of control. The condemned, regularly referred to as the "poor sinner" in official German texts, might fail to play the properly repentant role required for a "good" performance. Instead of humbly thanking the judges and acknowledging their punishment to be well deserved, a few issued curses and defiance—or, worse, protestations of innocence—marring the planned pageantry with discordant notes. The populace, whose pity for the suffering of the condemned was ideally overbalanced by abhorrence of the crime, might turn hostile, particularly in cases of botched executions.[6] The symbolism of suffering could evoke conflicting images, Christ and the martyrs as well as justly treated reprobates.

For the place of crime in public discourse, too, meanings were not always simple. In some ways, of course, purveyors of text had a real advantage over orchestrators of pageantry: the script could be edited and perfected, unseemly words excised. Writers could suppress an individual's defiance or silence to create the desired effect. By the eighteenth century, they were regularly inventing the appropriate self-condemning words, to the mockery of critics.[7] If they chose, they could concentrate attention on the details of the crime itself, making the execution a mere closing flourish. Still, writers faced unique challenges as well. Using the faceless medium of print, they sought to address a scattered and disparate audience. This has become so commonplace that we may lose sight of its novelty in the early days of printing. Of course, reading and writing were old, but addressing such large numbers of people at once was not. And though producers could control the form of text and image with unprecedented precision, reception and use were out of their hands.

The rhetorical challenges of print fostered varied modes of addressing the public. For the representation of crime, the visceral impact of violence offered a ready tool for seeking to direct response; even without purposeful embellishment, it could operate to heighten fear (as in modern television news). But the representation of violence could also do more. Peter Stallybrass and Allon White have analyzed symbolic transgression as a means of constructing group identity, marking the self off from objects of disgust.[8] While Stallybrass and White were concerned with matters of taste that upheld a socially exclusive sense of class hierarchy, the transgressions of criminal violence work instead for inclusion, as a means of placing all classes on the same side of the divide against what is perceived as hellish and inhuman. In sensationalist accounts, audiences were encouraged to unite in common emotional response based on values conceived as universal. While rational legal reform used a rhetoric of common reason, sensationalism used a rhetoric of common feeling, each to present its picture as shared by all.

Topical reports were the most innovative and widely distributed of print's contributions to the public discourse of crime. They form the central body of sources for this study. They intersected in themes and aims with a range of other genres that help shed light on the cultural resonance of crime. Texts produced in service of the rational model of modern justice—from the legal code itself to the painstaking documentation of individual cases—both drew on and influenced wider conceptions of crime, order, and common values. The seemingly dry rules of legal process shared substantial ground with fiction and drama. In the sensational vein, real-life dangers to family and intergenerational conflict found echoes in works of the imagination as well. Different works addressed different sectors of society, from court officials to urban elites to the potentially humbler consumers of street songs, but with significant points of contact. The distinctive dynamics of crime discourse reveal interplays among fact, fiction, public power, familial tensions, emotional resonance, and personal identity that are otherwise difficult to see.

Crime in Print

By the early sixteenth century, printers were applying their modern technology to the production of the ancestors of modern news media in the form of broadsides and pamphlets. Although religious works dominated the subject matter of sixteenth-century printing, especially with the flood of polemics unleashed by the Reformation, news production grew rapidly. In his study of early printing in Augsburg, Hans-Jörg Künast cites many more publications under the heading of "journalism" (387) than in any other category of vernacular literature. Moral tracts were a distant second at 163. The relatively costly saints' lives, though they dominated in total number of pages because of their length, amounted to only sixty items.[9]

As single sheets or short *Flugschriften* of four or eight leaves, broadsides and pamphlets were by far the cheapest of printed materials. While longer books were priced well out of the reach of most people, the cost of these humbler items was measured in Pfennigs or even the smaller Heller.[10] These were not trivial amounts for working people in a low-cash economy where a master builder earned, for example, 24 Pfennigs per day. Still, their potential for reaching a broad audience was large and spread beyond their purchasers.[11] Those with money were certainly the printers' target audience, but these works were sold in the streets and largely designed for oral performance or visual "reading" rather than for silent consumption by a lone individual. Printers in Augsburg set up stalls near churches on Sundays and holidays and employed sellers to hawk their wares from house to house. Broadsides and pamphlets were sold at markets, including the regional fairs where books were exchanged in Frankfurt, Nördlingen, and Leipzig.[12] Itinerant sellers not only sold the papers but also sang them. Many news accounts were cast into song, with rhyme and melody serving both to attract listeners and to aid in memory and repetition. The earliest crime report among my sources, written in 1504, describes itself as a *Spruch,* a rhymed narrative intended for oral delivery.[13] Others were set to tunes that were identified in the titles. Well into the eighteenth and nineteenth centuries, the news song remained a popular form, becoming associated especially with crime news in the genre called *Morität*. In the sixteenth century, the song form was not a marker for crime accounts in particular, although it appears to have signaled a goal of especially wide popular circulation.

The broadside, a single large sheet suitable for use as a poster, was typically decorated with woodcut illustration in the sixteenth century and with copper engraving in the seventeenth. These productions vary in the proportion between picture and text, sometimes with merely a heading or caption to explicate the image, sometimes with extensive verses or prose. Obviously, they lent themselves best to events that could be pictured, and they were used for a range of news, including battles and monstrous births. Crimes offered an easy stock image of execution, but broadsides were often surprisingly meticulous about picturing the specifics of each case: the wheel, the hanging, the burning, or the hot pincers as they had actually been applied. Often they gave even more detailed attention to the crime itself, sometimes presenting series of panels to show the sequence of events. Some even had added coloration, which could provide the red of blood. Just as hearers could absorb the message of songs without necessarily buying them or being able to read, these pictures were likely seen and read well beyond the circle of their purchasers.

How widespread, then, was the audience for this "street literature"? The distribution of literacy is of course an important factor, even though the oral and visual elements moved beyond it. A number of scholars have estimated literacy rates of about 30 percent for urban areas of southern Germany, based on the availability of primary schooling. This appears to have been true even before the Reformation's advocacy of lay literacy for spiritual reasons.[14] Of course, given the oral sharing of printed works, the effective audience for print was much larger than the number who could read. Access to the understanding of print in German was relatively widespread, in contrast to the very limited audience for works in the learned language of Latin. Still, literacy was certainly not spread evenly down the social scale and was surely more limited in the countryside. Urban authorities printed official ordinances, apparently viewing print as an effective means of reaching the whole population.[15] This may have been true of those with citizen rights, but it seems likely that some of the poorer households would not have included readers. Printed public announcements were also read aloud in public spaces to reach the illiterate.

The potential audience for such literature was quite broad and could extend to people of relatively humble status. A purveyor of cheap print in Augsburg cited journeymen and students among the groups who would be hurt by a prohibition of Sunday sales.[16] But being broad, the audience was anything but uniform. It would be a mistake to assume, on the basis of relatively low cost and low literacy requirements, that consumers were concentrated at the lower end of the social spectrum. Comparisons with nineteenth-century "penny dreadfuls" or current supermarket tabloids are misleading because of the contempt with which these modern genres are viewed by educated people. Although elites sometimes expressed scorn for lying and scurrilous pamphlets—and authorities sought to censor them—they also made use of these forms. As we shall see, educated people, including clerics, were involved in the production of news reports in general and crime reports in particular. Elites were also in the audience, as shown by the collecting activities of Pastor Johann Wick of Zurich and his friends (see chapter 4). These productions were aimed at a large range of statuses and sought to position themselves as appealing to widely shared values.

Although crime reports were sometimes produced for the very local occasion of a spectacular execution, they also circulated more widely. Clearly, they were felt to have continuing value even after the culprit was dead and in places far from the original scene. In the case of Kunz Haß's "Rhyme of a Baker's Apprentice" of 1504, the appeal was undiminished even after more than fifty years had elapsed, although this was unusual. Many items were printed in multiple editions, often with the second or third published in a different city. For the sixteenth century, at least a quarter of my sources were published in multiple editions, a conservative number given that the identification of these depends on survival.

(The number of identifiable multiple editions is much lower for the seventeenth century.) Although the most prominent printing centers were in the southwest in Augsburg and Nuremberg, crime accounts were printed far across the German-speaking lands. By the 1570s and 1580s, which saw a large upswing in crime publication, scenes of printing had become nearly as diverse as the scenes of crime themselves. Publications emerged from such little-storied presses as those of Eger (now Cheb in the Czech Republic), Hof an der Saale, and Wesel, along with the more predictable Cologne and many others. Augsburg was certainly the leading center of crime journalism, however, with close to thirty publications in my sample, easily surpassing its nearest rival, Nuremberg, at about a dozen.

Crime reports traveled substantial distances, both before publication and after. It was especially common for reports to be exchanged among such southern printing centers as Strasbourg, Nuremberg, and Augsburg. In other cases, a report from the Netherlands was picked up and printed in German; one from Marburg was reprinted in Strasbourg and Erfurt; and another story was printed in both Vienna and Dresden.[17] Printers also pirated each other's editions locally, as demonstrated by a dispute between rival Augsburg printers in 1585.[18] Wick collected his items mostly from southern centers but was able to accumulate printed texts from as far away as Magdeburg in central Germany, Eger in Bohemia, Vienna, and even Danzig in the far northeast of the empire. Although he could have been supplied by correspondents, the reprinting patterns tell the same story. Similarly, in tracing the influence of early news accounts of witchcraft cases, Wolfgang Behringer has pointed to rapid circulation through postal networks.[19] The longer-distance trade in crime texts and their reprinting suggest a wide market and a ready response to commercial opportunity; a specimen already in print required little effort and cost to reproduce, offering a chance for quick returns.

The street literature of crime was of course a business, or part of one. The printers who produced such broadsides and pamphlets did so as part of their larger enterprise, which included the printing of longer works as well as these humble ephemera. Although some printers did not bother with such short works at all, these cheap items were a standby for the less prosperous, as they required much less capital outlay than larger projects. Künast has emphasized the risky nature of the printing business generally; even high-end players sometimes went bust when they took on too ambitious a set of volumes and could not turn over their stock fast enough.[20] In early-sixteenth-century Augsburg, the printers of pamphlets were the "have-not [*Habnit*]" printers, in the lowest tax category.[21] But more substantial printers participated as well, at least later in the century. Michael Manger, who printed at least three crime reports, as well as books commissioned by an elite learned society, fell deeply into debt at the end of the century.[22] However, Hans Schultes the Elder was prospering in a business that included news reports as well as imperial privileges to print calendars and a book of veterinary medicine—exclusive rights gained through patronage from the powerful Fugger family.[23] He passed his business on to heirs who were still printing crime accounts in the mid-seventeenth century.

While some printers clustered their production at the cheaper end, crime publications could not sustain a business alone and did not inspire printers to specialize in them. Of the more than seventy printers represented in my sample, fewer than a quarter appear more than once, although some were active in producing other types of broadsides and short pamphlets. Most produced two accounts each. The most active, Niclas Schreiber of Cologne, printed five—two of them variants on the same case in 1589 of a young woman in Champagne who was unjustly hanged and miraculously recovered.[24]

Some of those who printed crime accounts were also employed by authorities in printing ordinances and other such short governmental publications. Samuel Apiarius, for example, printed government mandates in Basel along with other short works such as songs and calendars—though he had been thrown out of Bern.[25] Such printers had to be in at least temporary good odor with the local government, which everywhere exercised censorship over printing and normally would have had to grant permission for publication of the crime accounts.[26] Some even were able to obtain a privileged position for gaining information that they later shared with the public. In Augsburg in 1589, the woodcut artist Hans Schultes the Elder was commissioned by a local judge to depict the crime scene. Though his work served the purposes of justice, it also appeared in broadside form, with the story of its origin to attest its authenticity.[27] Schultes was thus able to benefit from relations with authorities, despite a run-in with the law over the printing of an unauthorized news sheet five years before.[28] Also in Augsburg, the broadside account of a murder in 1593 bore the seal of the presiding judge, a fact pointed out to readers as sign of bona fides as well as official endorsement.[29] One pamphlet from 1609 was even produced and published by the government of Lucerne, though this was an exceptional case. Lucerne's execution of a Protestant peddler for blasphemy against the Virgin Mary had sparked rumors of persecution that the authorities used print to quash.[30]

Where did the printers get the texts that they reproduced in crime publications? In some cases, the texts were not much more than captions to broadside pictures, but usually they required authorship of some kind. Some were based closely on the official confession publicized by authorities; printers may have managed to obtain a copy or had someone take down the confession as it was read in public.[31] This saved the trouble of employing an author. Most crime texts were published anonymously, but there were notable exceptions. The occasional author known for other popular works moved into the recounting of crime, as in the case of Kunz Haß of Nuremberg in the early sixteenth century and Daniel Holtzman, the self-styled "German poet of Augsburg," in the second half of the century. A remarkable number of Protestant clerics wrote crime accounts during the sixteenth century, a phenomenon examined more closely later (see chapter 4). Among them were the best known of early crime authors, Philip Melanchthon of theological fame and Burkard Waldis, familiar to scholars of German literature for his plays and fables. For the most part, authors were likely from the same strata of literate urbanites as the authors of news reports more broadly, though perhaps with more pastors and fewer merchants.

Heinrich Wirri, the author of at least two crime reports as well as other news, certainly supported himself partly by writing, although he was also employed organizing festivals and other entertainments. Originally a weaver from Aarau in Switzerland, he traveled widely and worked for various patrons. In a pamphlet on a murder in Alsace in 1556, he gives a remarkably complete (though surely not typical) description of his means of acquiring information. It shows him as undoubtedly the closest the sixteenth century came to the activities of a modern reporter. His account is written in the form of a letter to Heinrich Lochman of Zurich, whom he had agreed to keep apprised of any news while he traveled to the Frankfurt fair. Arriving in Strasbourg, he heard that a burgher of nearby Obernehen had killed three of his own children. Since Wirri was awaiting the arrival of goods in Strasbourg anyway, he used the time to investigate. In an account likely designed to impress Lochman with his zeal, he tells how he went straight to the Burgermeister of Obernehen on the very day after hearing the news "to investigate the matter diligently." He recounts their conversation, in which he asked for help in obtaining "a reliable report." The Burgermeister could not give full details because the man had not yet been tried and the case would go before a higher judge, but he promised to send word when more was known. After a week's wait, Wirri again took the initiative, traveling to the nobleman judge and learning when judgment would be decreed, on 24 April. That morning, he wrote, he had traveled the three miles to Obernehen early "so that I could actually see and experience all the proceedings." He was there for the reading of the *Urgicht* (official confession) at about 8 AM, although he was unable to hear all of it. Fortunately, the Burgermeister was willing to give him the full story afterward, so that he was able to cite the confession at length in his account: "The mayor, a most honorable and well-informed man, gave me an authentic account of the case, so that as I intended to print it, the genuine truth would come to light. For over the two weeks much has been written back and forth, here and there, but with no other basis than hearsay."[32] Recounting of the exact truth was important to Wirri and his sponsor, as well as to the local authorities who cooperated with his requests for information.

Obviously, the writing of crime reports was not a profession, however, and some—especially among the clergy—clearly wrote without expecting payment, out of a desire to spread a religious message. This was certainly true, for example, of Johann Schwanfelder, who collaborated with his printer to get permission to publish his account of the murder of his daughter and grandson. By contrast, Holtzman the "German Poet of Augsburg" undoubtedly expected payment for the added allure of his famous name. He complained, in fact, about the pirating of his work and urged people to buy only the genuine article:

> And for your information,
> I did my poem prepare
> With toil and application.
> But now I'm made aware
> That someone me has cheated
> In most dishonest wise;

Me foully has mistreated,
My verses has repeated
And never me apprised.

My greeting here extending
To all lovers of art,
On them I am depending
To take the better part.
My poems or other writing
Let no one from me steal!
If driven into fighting,
With sharp words I'll be smiting,
That will the crime reveal.[33]

In the case of the many crude anonymous works, printers likely had to pay someone for the labor of writing, however unskilled, or may have done it themselves. By all accounts, though, pay for authors of such short works would have been very low. Certainly, no one could make a living out of writing street literature, let alone crime reports. So although such writing could have been a by-employment, the motive for many authors was communication rather than commercial gain.

Because their producers were often beholden to authorities and because these pieces uniformly condemn lawbreaking, it is perhaps tempting to view them as propaganda pure and simple, as tools of the state apparatus. Certainly, they could play a role similar to that of the rituals of execution in seeking to present examples of punishment that would deter potential criminals. The dutiful recounting of the details of executions drives home the point in one publication after another. But this straightforward political motivation was overlaid with others, probably largely commercial on the part of publishers and more complex on the part of authors. The commercial aim helped shape the modes of presentation that made for sensationalism, as well as the selection of cases, the elements of emphasis, and the adoption of conventional patterns that tended to recur.

Clearly, the circumstances of their production make these publications unlikely to contain any questioning of authority. On the rare occasions when they did venture into such territory, it was to criticize incompetent authorities elsewhere and praise the good ones, always implicitly including their own among the latter. One unusual piece, for example, recounted the mistaken execution of an innocent man and the later apprehension of the true culprit. After the theft of more than 600 Talers from a rich peasant in Austria, suspicion fell on an honest tailor, who was arrested and tortured. Although his confession could not be confirmed by solid evidence—the money was not found in the places he indicated—he was executed. But his body bled after death, prompting an investigation by imperial authorities.[34] They discovered and executed the real thieves and punished the eleven peasants of the local council who had sanctioned the injustice. The song was dedicated to a nobleman and a knight, and it praised the high authorities for their devotion to justice and care for the poor.[35] The message was one favorable to the centralization and professionalization of justice, and critical of ignorant yokels who failed to apply the evidentiary standards put forth in legal texts like the Carolina. Small wonder that the Augsburg Council saw no problem with its publication. Another example, printed in Solothurn, reported on a killing in safely remote Alsace, in the village of Reichenweiler (modern Riquewihr). When the innkeeper Jacob Müller and his wife were found dead, the local authorities arrested all of the man's servants and employees, summoning the executioner from nearby Colmar to torture them. Here again the locals were at a loss, but at least they had the sense to call in a professional. The clever executioner could tell the prisoners were not guilty and was unwilling to torture them, instead urging that the neighbors be questioned. Their testimony vindicated the servants and revealed that the innkeeper himself had murdered his wife and committed suicide.[36] As in the first example, local officials erred, but higher expertise saved the day.

Although some publications on crime appeared as early as 1515, surviving examples of crime accounts from before 1550 are extremely rare. Of about one hundred sixteenth-century items among my sources, only about half a dozen date to the first half of the century. It is unclear how much of the difference across time should be ascribed to the growth of production as opposed to differences in survival of these ephemeral works. Some of the discrepancy can certainly be attributed to the collecting activities of Johann Wick, who preserved dozens of crime accounts from the 1570s and 1580s. Although these decades do indeed seem to have been times of high criminal activity and intense public interest in it, the drop-off in accounts from the 1590s—another high-crime decade after Wick's death—shows the impact of the collector. Likely the change across time reflects a combination of increased activity starting at mid-century and some improved survival. The pattern for the seventeenth century is more spotty and underlines the impression of a peak in the late decades of the sixteenth century and a falling off after about 1610. There was a flurry in the 1620s fed by accounts of witchcraft, then very little from the 1630s and 1640s, decades of devastation during the Thirty Years' War. The numbers pick up again a bit in the 1650s, but with nothing like the late-sixteenth-century heights. Here again, changes in survival as well as in production likely played a role. Few people thought to preserve such items, but those that have found their way into modern libraries come from collections made by the well-to-do. Historians of printing point to a decline in quality from the mid-seventeenth century, which probably combined with an increasing divergence in taste between elite and popular culture to depress survival.[37]

Reception and impact of such publications are naturally difficult to judge, given the scattering and variety of the sources. Fortunately the exceptionally avid collector Johann Wick offers an opportunity for extended analysis (see chapter 4). Obviously he was not a typical reader, but his interest shows the attention such texts could generate among the educated and godly. Marginal notes, though rare, also give some hints of how crime reports were used (by the literate, of course); they also suggest serious attention and even study. In a copy of Kunz Haß's "Rhyme of a Baker's Apprentice," contemporary underlining and marginal notes carefully count up the separate murders to reach the total of five, in addition to cross-references about the killer's name and origins. Markings in another hand enumerate and notate the different stages of his punishment.[38] Later, in the seventeenth century, the inside cover of a bound volume that contains crime pamphlets bears a handwritten rhyme dated 1638, which reads in part:

> His neck unto the hangman
> He offers for the blow
> Whose heart can hear his teacher
> And still no softer grow.[39]

Together with a few lines of Latin in an unpracticed hand, the writing suggests a schoolboy's lesson. Particularly telling is this language of the heart, combined with the collection of sensationalist crime reports. The pupil was to be moved by his teacher's admonitions, his heart softened, to preserve him from falling into the hangman's hands; similarly, the audience of sensationalism was to feel in the right way, emotional reactions channeled toward socially desirable ends. This volume used by the student of 1638 included crime reports printed decades earlier, in 1603 and 1605. He also seems to have used the book for some years, as later notations give the dates 1641 and 1650. At least in this instance, crime reports were not considered throwaway material; rather, they were preserved as items with educational value—a value particularly tied to their emotive quality.

So printed crime accounts—not only "street literature" purveyed to the marginally literate but also artifacts preserved by assiduous clerics and pored over by elite youth—had an exceptionally broad social reach. These are the most central and the least studied of my sources for this study. Both in themselves and in their intersections with other types of text, they offer important clues to widely shared values and beliefs. My analysis is based on study of more than two hundred such items, along with a range of complementary sources, including legal texts, archival records of selected cases, and fiction and drama dealing with crime. For topical crime accounts, the largest surviving collections are in the libraries of Berlin, Zurich, and Munich. I have supplemented these with materials from Freiburg, Halle, Vienna, Wolfenbüttel, and other repositories, along with sources published in modern editions or online. I have collected most systematically for the period up to about 1650, but I make no pretensions to completeness. As I find daily with a mixture of delight and chagrin, sources are increasingly available in digital format, searchable by subject in ways that library catalogs often are not—including items that I missed in my initial sweeps. My sample is broadly representative of surviving items, though of course the extant examples are a small fraction of those originally produced.

Crime and Society

Patterns in Deed and Word

1

The topical crime accounts that flowed from early presses were not fiction. Although some sloppily borrowed language from accounts of similar crimes elsewhere, very few seem to have been wholly invented. Even accounts of imaginary crimes, such as witchcraft and the ritual murder of Christian children by Jews, were normally based on real cases. Nevertheless, like modern true news accounts, they both mirrored and altered the picture of actual crime and its relationship to social surroundings. Partly by selection and partly by their modes of representation, they reshaped events to reflect cultural conceptions. This process did not necessarily require conscious manipulation; rather, it flowed naturally from the selection of, and reaction to, the crimes considered most worthy of public attention.

It is worth asking at the outset, then, some questions about how these texts depicted their social reality. Chapter 3 examines their relationship to the facts of some particular cases. Here I ask some broader questions about how their depictions mesh with historical findings about the social settings and determinants of crime in the transition from late medieval to early modern society. What were the sources of criminal threat? What kinds of people were portrayed as dangerous? What kinds of crimes were depicted, and how do the patterns of representation compare with what we know about the changing social dynamics of the early modern period? How did the transition into print change cultural images of crime?

First, a few general observations about the picture of crime they present. With their focus on the most heinous, crime accounts obviously magnified the profile of violent crime compared with more routine offenses. Here, killing was the most common of crimes, in scenarios to be examined at multiple points in this book. Although killings were always in the majority, the crimes recounted in print were many and various. The few that survive from before 1550 range widely, with no clearly observable pattern. Alongside a household killing by an apprentice, which was retold decades later and shared some elements with later familial killings, there were miscellaneous murders. A treasure-hunting charlatan dispatched a widow and her maid; a Catholic official killed his Protestant brother; most bizarrely of all, a peasant girl killed her very pregnant neighbor, stealing the baby in an attempt to press her lover into marriage.[1] It is in the second half of the sixteenth century that some accounts begin to acquire a ring of familiarity, as household killers, serial murderers, or witches could echo the crimes of others. Still, there were reports that fit no common mold or related only peripherally. For example, the infamous case of the fraudulent giant belly of the maid of Esslingen was attributed to the witchery of her mother but otherwise had little in common with most witchcraft cases.[2] There were occasional reports of political offenses, fraud, kidnapping, or blasphemy. Rather than attempt a comprehensive catalogue of the variety of cases, I have focused on common features and patterns as signals of the strongest cultural resonance.

Surviving crime accounts are quite sparse for the first half of the sixteenth century, a period of intensive development in print culture as well as in the modernization of criminal justice. We know that printers did produce such accounts, but too few remain to identify patterns; only a handful of my street literature sources predate 1550. But discussion of crime appeared elsewhere, notably in urban chronicles, a late medieval genre with its own distinctive aims. Beginning in the fourteenth century and into the sixteenth, members of urban elites produced such records, for various purposes but mainly to serve the political interests of the semi-independent imperial cities. Most paid scant attention to the crimes committed by ordinary people, focusing instead on crimes with political significance.[3] This raised the profile of violent nobles as a "dangerous class" and contributed to late medieval criticism of feuding. When compared with the picture of crime that emerged in later popular print, they show how differences of genre as well as change over time could shape perceptions of crime.

The image of the violent noble predator was a product of the movement toward stricter standards of public order in the late Middle Ages. Although older scholarship took the robber baron as a sign of noble decline, more recent studies have tended to absolve him of lawlessness, if not of violence.[4] Instead of an impoverished aristocracy driven to survive by criminal means, scholars have found canny and prosperous noblemen using the feud as a political tool to advance their fortunes. Under medieval law, a formally declared feud was a legitimate means for nobles to defend their rights—at least until the imperial ban on the practice in the General Peace of 1495.

To some, however, acts of private war looked increasingly like crime. Imperial cities were especially precocious in seeking to create islands of security in the Middle Ages, despite the Holy Roman Empire's inability to police its vast territory. As early as 1302, the imperial city of Nuremberg forbade the carrying of weapons within its bounds; visitors were to deposit their arms—needed for self-defense in the countryside—with the innkeeper for the duration of their stay.[5] In the chronic power struggles between towns and nobles, urban governments often sought to define nobles' political violence as criminal and subject it to judicial punishment. In the urban chronicles, nobles appear regularly as miscreants. In accounts by leading citizens of Augsburg, for example, conflicts with nobles bulked large. The city of Augsburg pursued an extended feud in the 1370s with Jacob Püttrich von Bayern, which led to open war between cities and nobles. To the city fathers, however, the issues were matters of crime: Püttrich's incursion into the city with a few of his men in 1370 led to the death of three burghers and to Püttrich's arrest. When he escaped and took to capturing burghers, the town tried putting a price on his head.[6] The burghers were more successful against Sebastian von Lauber, arrested in 1436 near Salzburg; he died of his wounds in prison, and two of his men were beheaded.[7] Several more nobles were executed by cities as robbers during the 1440s.[8] In 1444 a group of imperial cities joined together to attack the robber nobles von Waldenfels, who had been harrying traders from their castles.[9] The practice of feuding continued into the sixteenth century, despite the imperial ban, as attested by the famous career of Götz von Berlichingen. Private violence by nobles was waning by the sixteenth century, however, as the nobles found other ways to promote their interests. Both the appeal of imperial law and the increasing power of territorial rulers contributed to the gradual taming of the noble feud.[10]

The violence of lawless nobles found its way into early print, appearing in the *Spiegel des menschlichen Lebens* (Mirror of Human Life) issued by the printer Günther Zainer of Augsburg in about 1475. This work addressed a lay readership, though at 174 leaves with illustrations, it was far more expensive than street literature. It shows a robbery scene in which a nobleman victimizes two defenseless peasants. Both text and image emphasize the incongruity of this abuse of the noble's training and equipment for war (see figure 1). The robber's horse is tethered to one tree, a peasant to another; the culprit leans over the unresisting body of a peasant on the ground, stabbing him with a dagger while reaching for his purse. The nobleman's long sword, spurs, helmet, and chain mail contrast sharply with the dress and demeanor of the unarmed peasants. The author condemns the "baseness of human nobility" and finds such nobles unworthy of their status.[11]

Urbanites were not the only ones to class nobles' violence as criminal. Imperial reformers from within the noble class itself increasingly focused on promoting law and order. The growing move to criminalize feuding was crystallized throughout the empire in the General Peace issued in 1495. Reformers also contributed to a public discourse in which rogue nobles were a source of danger. Johann von Schwarzenberg, whom we will meet in the next chapter as a legal reformer, wrote in a range of genres and was a strong defender of both nobility and the law. His song "Against the Deadly Vice of Robbery," first printed in 1513, assails the victimization of noncombatant peasants and burghers by men of violence.[12] Especially abhorrent to Schwarzenberg was the complicity of magistrates who turned a blind eye to lawlessness: "Many who ought to fight it / with robbery connive; / If no land would abide it / no robber well could thrive."[13] Instead of paying for their crimes, the guilty parties caroused freely and even aimed public libels at those who, like Schwarzenberg himself, strove to enforce the law. In his view, they were

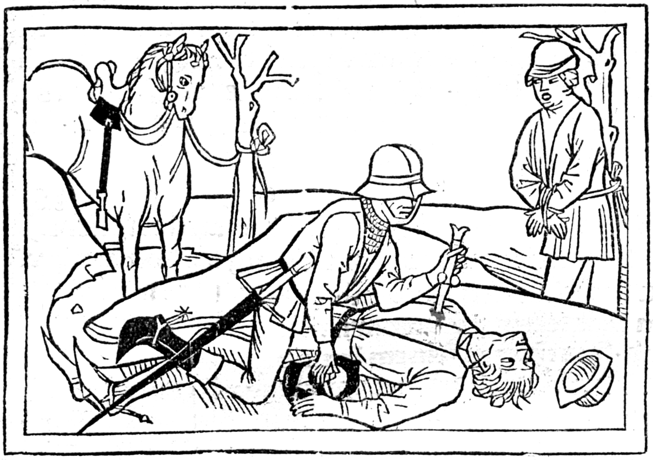


Figure 1. A rogue nobleman murders a helpless peasant. (From Heinrich Steinhöwel, *Der Spiegel des menschlichen Lebens* [Augsburg, ca. 1475], fol. 21, Sig. 2 Inc.s.a. 1264, courtesy of Bayerische Staatsbibliothek München)

perverting the entire concept of nobility by becoming marauders rather than protectors of those below them: “Nobility’s true ground / they utterly reverse” as “shepherds gobble sheep.” Everyone should be subject to law, and even to criminal justice if they violate it, for “The emperor’s true worth / and that of noble blood / above all gems on earth / is peace and justice good.”[14] The song was later reprinted with Schwarzenberg’s German translation of Cicero (1540), accompanied by an illustration drawn from his collection of moral pictures with rhymed legends, the “Memorial of Virtue.” The woodcut shows a robbery victim bound to a tree, along with two armed men in the woods; in the foreground, a magistrate sits with his hands covering his face, the Devil behind him, ignoring the complainant before him (see figure 2). The accompanying rhyme gives the speech of the negligent magistrate, who finds it to his advantage to leave marauders unpunished; they are then beholden to him and can be used to intimidate others. Besides, his inaction saves him a lot of trouble:

> These evil men have numbers great;
> Their punishment would win me hate.
> I cannot press on them too hard,
> Since I their favor still regard.
> While I their plundering allow,
> They help me other men to cow,
> Thus acting like my sons and kin,
> And I their faithful service win.
> That way I live contentedly;
> Therefore their crimes I do not see.

Schwarzenberg insists that the magistrate is as guilty as the actual criminals for covering up their misdeeds.[15]

In popular crime publications of the sixteenth century, however, the nobility is largely tamed—a sign of both historical change and a shift in genre. While chronicles served the purposes of urban authorities, and reformers’ critiques might address mainly the very elites they hoped to reclaim, popular printing about crime had a far more miscellaneous clientele. Here, respect for social superiority was very much the norm. One of the most popular songs of the century harked back to a medieval conflict in which the forces of criminal justice prevailed, but with a certain nostalgia for the older code of noble honor. Based on the pirate-noble Klaus Stortebeker and his downfall in Hamburg in 1402, it was frequently

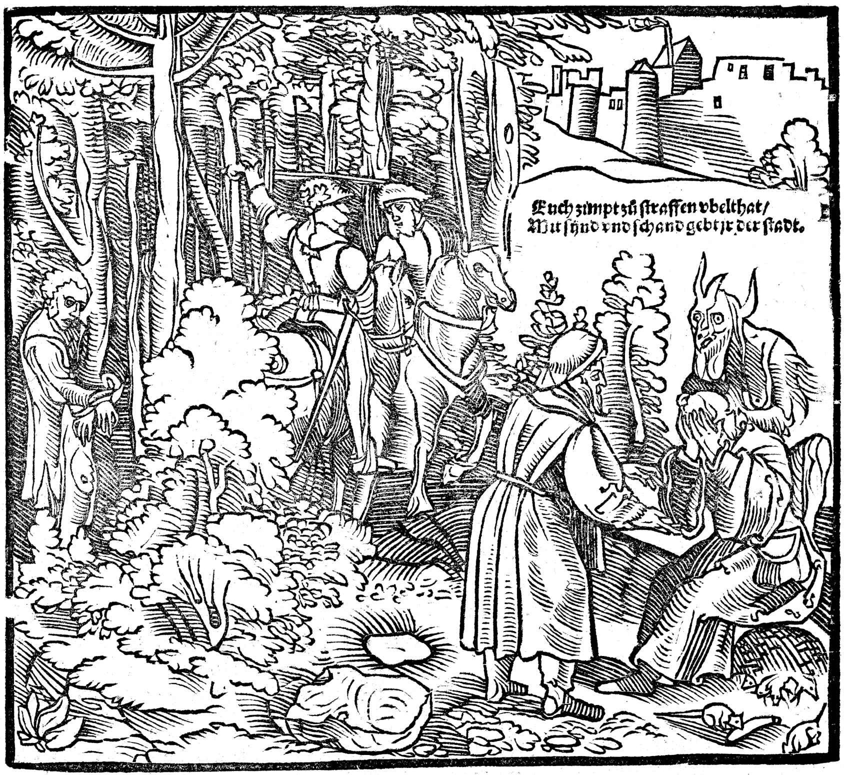

Euch zimpt zů ſtraffen vbelthat/
Mit ſünd vnd ſchand gebt jr der ſtadt.

Figure 2. A judge turns a blind eye to the crimes committed by nobles. (Johann von Schwarzenberg, *Der Teütsch Cicero* [Augsburg, 1540], shelfmark Mason R. 216, fol. 93r, courtesy of Bodleian Libraries)

reprinted and widely reused as a tune; a number of crime accounts of robbers, familial killers, and witches were set to it.[16] The song implicitly aligns his fate at the hands of Hamburg authorities with those of the robbing nobles arrested by other cities in the fifteenth century. Stortebeker and his fleet of privateers had long harried the ships of Hamburg and its trading partners in the Hanseatic League. The city caught and killed as many of his followers as it could and finally launched a major expedition to root them out. The defeated Stortebeker sought an honorable surrender for himself and his men, and according to the song, this was agreed to by the opposing commander, Simon von Utrecht. But the city authorities would have none of it. The song emphasizes the surprise that awaited the pirates: "When at the Elbe they arrived / Nothing good there met their eyes; / They saw the heads there mounted. / My lords, those are our comrades, / Then Stortebeker thought."[17] They were executed in Hamburg the next day, having asked for and been granted signs of honor: music, drums, and the favor of dying in their best clothes. Implicitly, this song endorses the view that such noble adventurers should not have been subjected to treatment as criminals. The switch from honorable surrender to trial and execution appears as a betrayal of Stortebeker's trust. In this version, even the implacable Hamburg authorities concede some of the trappings of an honorable martial death.

The few nobles who appear in crime accounts of the sixteenth century are mainly on the right side of the law, protecting the weak and ensuring that justice is carried out. They figure among the admirable authorities who track down criminals and defend public security. In more than one report on the sale of a pregnant wife to killers in the later sixteenth century, it is a nobleman who happens by while hunting and saves the woman.[18] There are a few exceptions, as in a 1567 song about the execution of Wilhelm von Grumbach, chief of a group of "empire-spoiling people" and a holdover from the bad old days of feuding.[19] Another bad apple, in a song from 1570, attacks worthier nobles without even the pretense of honorable behavior. Though pretending friendliness, he watches for an opportunity to rob and murder them with the help of his two henchmen. He wounds two of the nobles but then in flight falls off his horse. Despite his pleas for mercy, he is killed. Still worse, after he is dead and the four nobles believe the conflict is over, one of the henchmen sneaks up and shoots a nobleman dead. The problem here is not with the nobility but with abuse of its honorable values. The song depicts these actions as the crudest violation of every rule of legitimate noble violence. In fact, although the main villain of the piece was a nobleman, the title picture sends a very different message: it shows a ragged man raising a mace over well-dressed victims on the ground.[20]

Another exception to the positive image of nobility was a song printed in Leipzig in 1579 that told of a "raging nobleman," Achatz von Assenburg. He had imposed unbearable burdens on his subjects, imprisoning any who objected. When some of them went to the bishop to complain, he furiously swore revenge. Gathering a hundred armed men, he stormed in at midnight and slaughtered eight hundred villagers. It was God and not judicial authorities that punished him, however: the very next night, a fire from heaven burned his castle, with everyone in it.[21] Another greedy nobleman of Brabant was also punished by God, in this case for a sin of omission. Although rich, he gave nothing to the poor, and in particular he spurned the pleas of a poor widow and her four children, who were starving in the winter. The woman went wild with despair and killed three of the children and herself. When the nobleman went to see for himself, he was swallowed up by the ground.[22] Similar sorts of divine punishment for uncharitable hardness were visited on non-noble misers, as well.

If the nobility were depicted as mostly harmless or even beneficial, this was not true of another traditional source of danger: the rootless poor. Historians have found comments as far back as the early Middle Ages associating poverty with beggary and crime.[23] Outsiders and vagrants, already recognized as potentially disruptive, were increasingly demonized. By the early sixteenth century, population was on the increase after the long slump that followed the plague pandemic of the fourteenth century. Many worried that loose and ungoverned elements of the population would foment crime, and vagrants were frequently arrested for theft and other offenses that most modern societies deem petty. They were also more likely to be executed than were settled residents. In fact, outsiders were the main target of the draconian punishments prescribed in early modern legal codes, as many localities spared their own citizens from the harshest penalties.[24]

Increased severity against outsiders was widespread in the late Middle Ages and the early modern period. By the fifteenth century, cities were laying increasing restrictions on wandering beggars, tightly limiting or even forbidding their entry.[25] The use of banishment by many localities as a punishment for lesser crimes tended to associate wandering with criminality in the minds of many. Similarly criminal was the reputation of unemployed mercenary soldiers, left without resources in intervals of peace and bred to violence. Burkard Zink, chronicler of Augsburg, recorded in 1466 how a lawless group of former imperial soldiers had set themselves up in a stronghold called Neukirch, from which they had harried the land at will. This had been going on for ten years, and the city was still waiting for effective action by the emperor.[26] Such concerns about lawless marauders helped fuel the movement for legal reform to curtail violence. The Imperial Peace of 1495, in addition to its ban on feuding, singled out idle soldiers and vagrants as likely robbery suspects, a view followed and embellished by the Carolina law code of 1532:

> Item: If cavalry or footsoldiers are habitually wasting money at inns, and cannot show what honest service, handicraft or fortune they

> have, from which they can afford this spending: they are suspect and suspicious for many crimes, and most of all robbery, as is particularly to be observed from our and the Empire's General Peace, which orders that one should not tolerate such rogues, but arrest them, question them rigorously, and punish them firmly for their misdeeds. Similarly, all authorities should pay vigilant attention to suspicious beggars and vagrants.[27]

The text refers to a provision on lordless soldiers in the General Peace of 1495 but with significant additions: not only are the soldiers uncontrolled and therefore threatening, but they can be recognized by their habits of idleness and carousing, even before they have done actual harm.[28] The code also adds the general run of vagrants and beggars to its description of the dangerous classes. Thus, the association of these groups with crime was fully ensconced in law. Vagrants were legally suspicious and could be subject to questioning without reference to particular crimes.[29]

Beggars were increasingly suspect as well. Commentators and popular expressions in the sixteenth century regularly saw the *Bettelsack* (beggar's sack) as the natural result of wasting one's goods—and a more peaceful alternative than a life of crime. But the one could easily slip into the other. A broadside issued by Bartel Beham around 1524 showed twelve beggars recounting the vices that had led them to this pass. Clearly, the life of the wandering beggar resulted from moral failings, such as promiscuity, laziness, gambling, and gluttony; only the sole born beggar might have been blameless. However, the concluding text by Hans Guldenmund makes it clear that there are worse things than begging. Some people are born poor and may not have enough for their needs, and if so, they must beg: "Then if an honest man he be / Before he'd do iniquity / He'd sooner take to beggary." Such virtuous beggars deserve aid for the love of God, especially as others were not so benign.[30]

The influential *Liber Vagatorum* (Book of Vagrants), printed in Germany in 1510 and in many later editions, posited a subculture of vagrants complete with its own subversive language. Here the emphasis was on the trickery of false beggars who cheat the pious out of their hard-earned assets. No less a figure than Martin Luther considered this message worthy of his endorsement with a foreword to a later edition; many of the frauds exploited religious beliefs he viewed as superstitious, such as vows and offerings to saints. Although the beggars were mainly swindlers, they could also be dangerous criminals. The author cites suspicion that one false cripple had burned down a house where he had been rebuffed, and another ended on the gallows for an unspecified crime. Others, using their maimed bodies to elicit pity with stories of innocent suffering, had received their mutilations at the hands of justice for prior misdeeds.[31] Only the local, well-known poor were safe objects of charity.

Of course, all this was not just a matter of discourse: soldiers and vagrants did form a substantial proportion of those who engaged in violent lawbreaking.[32] Robbers did lie in wait for travelers and the unwary. The murderous bands that appeared in crime accounts were real, although there is room for doubt about some of their confessions under torture, which could include pacts with the Devil in exchange for invisibility. In her study of such crimes in southwestern Germany, Monika Spicker-Beck found that unemployed soldiers were the largest group of perpetrators. They were sometimes hired to commit robberies or arson, an element she connects with the transition from medieval feud to more modern concepts of crime: nobles might hire unemployed soldiers to pursue political vengeance, but their acts were increasingly treated by authorities as ordinary crime, and the highborn instigators were seldom identified. The increasing numbers impoverished and rendered homeless by the socioeconomic stresses of the sixteenth century provided a pool of potential criminals that was enlarged by the custom of banishment for minor offenses.[33]

Most sixteenth-century printed crime accounts date to the later part of the century, a time of increasing economic hardship for many. The economic upturn that historians have dubbed a "price revolution" signaled increased profits for merchants and some producers, along with steep increases in the cost of necessities. Food prices doubled or even tripled across Europe during the sixteenth century. Although the changes might not seem revolutionary to those accustomed to modern rates of inflation, they were happening in an economy geared toward stasis. Guilds, for example, often set maximum wage rates—partly on their general principles of maintaining parity, but also to prevent workers from bargaining for higher pay. But by the second half of the century, the combination of price hikes and population growth left many workers in a poor position for bargaining. Real wages reached a long-term low, as pay lagged far behind the price increases. To compound the distress, harvest failures multiplied in the 1570s and 1580s in the harsh weather of the Little Ice Age.[34]

A relatively early account, from 1560, illustrates the suspicion of beggars, as well as the linkage between more ordinary crime and witchcraft, the sense of a conspiracy with multiple modes of destruction. A city official of Lucerne, coming across the eleven-year-old son of a vagrant family, seized him and demanded to know his business, "as in these places it is customary to supervise such lads."[35] The boy offered to tell what his parents had done in exchange for release, and he soon revealed "how his father had murdered, robbed, and burned all across the country, his mother caused storms and did many evil things."[36] Given their status as vagrants, they were readily put to torture, whereupon they confessed, and all were sentenced to death. Although strict procedure demanded that confessions be checked against physical evidence, this rule was frequently ignored in cases of witchcraft like that of the mother. It seems likely to have fallen by the wayside in the father's case as well, given the difficulties and delay of tracing such scattered crimes.[37] Certainly, there was no question of physical evidence against the child. The boy was beheaded by the sword, which was considered a merciful mode of execution. The father was broken on the wheel, the mother burned alive together with the bodies of her husband and son.

It was in the 1570s that reports of robber bands multiplied, reaching a peak in the 1580s and continuing in lower numbers into the seventeenth century. Accounts of such activity were far-flung, from Moravia in the modern Czech Republic to Lucerne in Switzerland and from Württemberg in southwestern Germany to Bremen in the north. Although violence and malevolent magic were the most sensational aspects of the bands' reported activities, stealing was central to their existence. While some accounts merely recited totals, others went on for pages reciting the robberies and murders in exhaustive detail, with precise specification of places, persons, and amounts taken. Thus an account from Moravia in 1570 describes the crimes of Paul Wasansky, who had robbed and killed dozens. His victims included artisans, noblemen, peasants, Jews, women, and children, each with specifics of the money and goods stolen, as well as the grisly killings.[38] Similarly detailed is the account of Ulrich Oettinger of Ellingen, otherwise known as Sew Vile, who confessed in 1613 to twenty-five murders in the countryside around Nuremberg done by him and his gang. The broadside relates each crime with place, type of victim, and amount.[39] Although the Devil might be the sponsor of such organizations, a central aim was the accumulation of ill-gotten wealth. In fact, it was desire for gain that often led the criminals to seek the Devil's aid in the first place. In one account of the murderers Peter Nyersch (Niers) and Jacob Sumer, the Devil even provided them with monthly pay.[40] Murderers could also go into business on their own account, as in the case of Christman Genipperteinga, who reportedly killed 964 people over a period of thirteen years and had been aiming for an even thousand. At the time of his arrest in 1581, he had supposedly accumulated a cache of stolen goods worth 70,000 Gulden.[41]

Most of these robber-killers were travelers, arrested outside their place of origin and often identified as coming from elsewhere. Martin Stier, a shepherd and arch-killer who organized forty-eight fellow shepherds into a murderous band, confessed to a twenty-year career of killings that took him from the Netherlands to Württemberg.[42] Of course, the profession of robbery required some roving, whether the principals had been itinerant beforehand or not. It was in spaces outside cities that these bands operated, particularly in woods and mountains and along unfrequented roads. The gang led by Niers and Sumer reportedly started in Alsace, but after gathering a group of twenty-four and meeting the Devil in the woods near Pfalzburg, they separated to rob and murder. Accordingly, they were caught in different places—one in the imperial city of Landau; one at Kirchweyler am Rhein; four at Strasbourg; nine at Pfalzburg; and six at Koblenz.[43] Christman Genipperteinga was unusual in apparently maintaining the same stationary den throughout his years of serial killing. More often, accounts tell of robbers' traveling, meeting, and congregating with other robbers or with the Devil on their journeys.

Although the scattered references to the social origins of these miscreants obviously do not lend themselves to rigorous analysis, the expectation appears to have been that they would stem from humble and unsettled groups. In this the depictions are consistent with Spicker-Beck's findings in archival cases, where itinerant groups formed a large proportion of robbers.[44] Stier's following of shepherds, for example, were difficult to pin down, accustomed to roaming with their flocks, loose and evidently ready for trouble. Shepherds were widely classed among the dishonorable, especially in the thinking of urban guilds.[45] In Georg Wickram's novel *Mirror for Youth* (1554), the young antihero passes through a period as a herdsman as he sinks in the social scale (finally hitting bottom as a wandering minstrel). Far from civilized society and alone with the animals, he has time to think over his misdeeds. Members of such a group were unsurprising suspects.

A song from 1584 on the Haußnopper gang offers more information about the robbers than most. The whole organization reportedly numbered many more, but thirty-eight had been caught and executed for their robbing and murdering around Vienna. The song recounts the names and some background for each of the culprits, although for hearers who wanted to know more about their crimes, the song advertised a book with full details. Many were identified as having a trade that theoretically could have been respectable, but many, not surprisingly, came from elsewhere: Adam Hoffman, a wagon driver from Bamberg; Hanse Stegner from Nuremberg; Jacob Eberle, a butcher from Waltersdorf; Lucas Meusel, a scribe from Halstath, whom they called their schoolmaster; several miners, a basket maker, a cook, a cooper, a carpenter, a tailor; men from Bamberg, Landsperg in Bavaria, Nürnberg, Hoffstetten, Grätz, Salzburg, Augsburg, Marburg, and Plochingen in Wirtenberger land.[46] In fact, though, most printed accounts gave little attention to the social origins of robbers, perhaps because their very membership in such unsavory company marked them as outcasts.

In reports on murderous bands, then, we encounter a social picture broadly consonant with what we know of social reality, even if some details of robbers' demonic activities arouse skepticism. This was a world in which those at the social bottom had scant resources, especially once they became detached from a settled existence by either misfortune or malfeasance. Organized poor relief was increasingly limited to the local and deserving. Beggars and petty criminals were regularly banished from localities, often forced to swear an oath not to return on pain of death. The frequency of their return in spite of this threat suggests the difficulty of finding viable alternatives, as well as their attachment to their former social milieux.[47] Those out on the roads were constantly suspected and often did engage in theft and robbery.

Murder was the most frequently reported crime by far. A large variety of offenses found their way into print, from fraud to kidnapping and treason, but killing persistently dominated—both on its own and as a feature of the crimes of robbers and witches who were thought to have done people to death. Although murder bands accumulated the most victims, individuals acting alone appeared far more commonly. In the transition from medieval to modern conceptions of crime, murder was increasingly seen as the chief of crimes. This was an era of gradual criminalization of all homicide, as both legal and religious reformers frowned on earlier customs of private reconciliation for certain types of killing, such as unintentional or honor-based acts.[48] The killings recounted in print, however, were always the most egregious. In contrast to the modern fascination with the single premeditated murder, early modern crime reports seldom focused on a single killing unless it was aggravated—by being directed at a master or husband, for example, or by including dismemberment. The crimes recorded in print were far removed from the common, everyday scenes of violence, where conflicts over honor and insult escalated from words to blows and beyond.[49] Such assertions of men's status, so prominent among archival violent offenses, never made their way into crime reports; they were not shocking and horrible.

From a scattering in the decades before 1550, crime accounts rose to their greatest heights in the 1570s and 1580s. In my sample, they continue in somewhat lower numbers into the 1620s, then show a marked falling off in the 1630s and 1640s, during the Thirty Years' War. Crime publication revived in the 1650s, but surviving items are still fewer than for the prewar period. The relatively small numbers and spotty survival make it foolish to lay too much weight on numbers. Still, a few crude patterns are clear. The prevalence of murder is the most obvious, even though my sample is likely skewed by the ease of identifying murder in titles. Overall, some 80 percent of non-witchcraft cases deal with killings, a proportion that remains relatively stable across the decades. The majority of witchcraft cases involve killing as well. More than two-thirds of the homicides reported were cases of multiple murder, either in a single event or serially.

There is some evidence that the swell in crime reports in the later decades of the sixteenth century coincided with a time of generally intense prosecution. According to figures compiled by Gerd Schwerhoff, a number of localities had especially high levels of execution in this period. Augsburg, for example, shows a distinct rise in the proportion of criminals executed in the last four decades of the sixteenth century—double or more the proportions of the preceding and following periods. Nuremberg too had a substantial rise in the last decades of the sixteenth century, with lower numbers before and much lower figures by the mid-seventeenth century. Zurich similarly executed a much higher proportion in the sixteenth century than in the fifteenth or the seventeenth, although its figures are not broken down by decade. Breslau shows a high proportion from about 1450 to 1630 and substantial decline thereafter. Decline in the mid-seventeenth century is a pattern shared also by Danzig and Frankfurt.[50] These figures suggest that the later decades of the sixteenth century, so troubled by the economic woes of inflation compounded by failing harvests, were plagued by criminals as well.

Looking at details produces a more complicated picture. Among surviving crime reports, the numbers swell in the 1570s and reach their peak in the 1580s. In Cologne, however, prosecutions for serious crimes declined from the 1570s into the 1580s, and executions were already declining in a number of other cities.[51] Helga Schnabel-Schüle found no swell of criminality in the late sixteenth century in rural Württemberg.[52] Crime publications have an indirect relationship to actual incidence, likely skewed first by publishers' selection of subjects and then again by changes in collection and survival. But their reflection of public image and concern is much clearer.

Murder was indeed a common crime in the early modern period, though not necessarily in the forms it took in popular literature. Historians have consistently found high levels of violence in premodern Europe.[53] Eva Lacour has reported figures that show killing (including infanticide) at about 6 percent of sixteenth-century violent crimes in the rural districts she studied.[54] According to Schwerhoff's figures for Cologne between the 1560s and the 1610s, killings amounted to at least 4 percent of offenses.[55] More routine than homicides were property crimes and assaults, which together accounted for nearly 40 percent of the total. In Württemberg, the figure for killings was even higher, at some 15 percent, even with infanticides excluded. As Schnabel-Schüle has pointed out, the prominence of homicide was certainly boosted by underreporting of other offenses.[56] Still, its proportion was extremely high compared with modern norms. In the United States, hardly a low-homicide area, recent figures put homicide at a little over 1 percent of violent crimes. When property crimes are added to the mix, homicide falls nearly to one-tenth of 1 percent.[57] And the early modern figures are even higher than they look at first glance, since the crime totals include behavior that has since been decriminalized, such as religious offenses. So perhaps the preoccupation with murder could claim good reason. While ordinary homicide was highest in the 1570s for the period Schwerhoff studied, the crime of *Raub* (robbery with premeditated murder) showed a distinct spike in 1588. From figures of under 4 percent both earlier and later, this crime leapt to nearly 11 percent for the years around 1590, mirroring the swell in accounts of murder bands in the 1580s.[58]

If murder was indeed a prevalent crime, the kinds of murder recounted in print were hardly typical. Even among robbers, those immortalized had numbers of victims and atrocities far beyond those of most mundane criminals who populate the archives studied by Spicker-Beck. Murder bands and witches were seen as particularly dedicated to large-scale destruction, but even lone individuals in crime accounts were likely to acquire multiple victims. Moving from organized groups to lone killers changes the social setting substantially, from the realm of the usual suspects into a world of much higher status. In the many reports of familial killings, as well as in those of other murders, the perpetrators were largely not from among the deprived have-nots. Rather, they were or should have been fully integrated members of society, householders or members of households or, at least, steadily employed. Although these killers were scarcely driven to crime by destitution, economics played a persistent role in the onset of violence. Typically, though, even in the worst times of economic crisis, tragedy was attributed to moral failure rather than to absolute want.

Murder for gain appeared well before the worst of the inflation and dearth. Hans Reichart, executed in 1534, killed a priest from whom he stole 35 Gulden, then a *Chorherr* (canon) and his cook. Reichart was a settled burgher and glazer in Regensburg. The broadside recounts that when the Canon Sebastian Gyrst found Reichart in his home, he asked, "Master Hans, what brings you here?" and was answered, "I've come to repay the money you lent me."[59] The exchange shows that Reichart was in debt, possibly a motivation for his illicit pursuit of gain through murder. It also shows him as a recognized member of the community, on terms of familiar but respectful address with his wealthier victim, who as a canon was certainly of noble birth. As in other crimes of greed publicized in street literature, it was not a state of impoverished neediness that led to violence, but rather moral failure by someone who should have been able to cope economically. Isolated murders rarely made their way into print; this case was likely raised to newsworthiness by the fact that there were three victims, as well as by the victims' social status.

A more spectacular case fell well into the Little Ice Age and again was perpetrated by an integrated member of society—though the killer was not immediately known. The killing of the jeweler Jacob Spohr in 1605 in Halle was evidently motivated by gain, as well, but it made its greatest impression by the mutilation of the body and hiding of its parts. These were discovered gradually and publicized in a broadside before the murderer was finally caught and executed. Friderich Kersten, the killer, was a respectable burgher; he appears in another broadside nattily dressed, in the act of striking the jeweler with a hammer from behind, then cutting up the body to hide his crime. Spohr, a merchant from Frankfurt, had clearly trusted Kersten enough to set up a meeting.[60] The broadside particularly praises "Authorities of honest care, / Who not regarding name or fame / Dispense true justice just the same."[61]

More common than such opportunistic killings for gain were reports of murder within the household, particularly by blood relatives. These too were crimes in the heart of settled society. Familial murder was the single most frequently recounted type of killing and usually involved multiple victims rather than a single target. Of course, the patterns of crime accounts are not a direct reflection of real incidence of crime, even when the crimes are real. Historical studies of crime patterns present a rather confusing picture of familial crime. Eva Lacour, studying rural districts in the Rhineland, found a relatively low proportion of domestic violence, as well as a tiny number of women involved in homicides as victims or perpetrators. She notes that this fits with a general pattern observed among societies with high overall homicide rates: domestic killings tend to form a relatively smaller proportion.[62] Similarly, studies of late medieval and early modern England have found the proportion of familial homicide lower than that in modern society.[63] However, Schnabel-Schüle found extraordinarily high proportions of familial killing in her study of crime in early modern Württemberg. Even here, however, the pattern did not match that of published reports; most of the cases in Württemberg were killings of spouses, a crime with a relatively low profile among publicized cases.[64] Multiple murder within the family was rare enough that most localities probably saw no cases of it. The killing by parents of legitimate children, as opposed to infanticide by unwed mothers, appeared in only four cases in Nuremberg between 1508 and 1806.[65] This rarity made it all the more shocking, of course, when it did occur.

Reports of domestic crime focused particularly on intergenerational violence and on the killing of children. Like reports on bands of organized killers, these accounts had a wide geographical spread, although the southwest was especially active. I will look more closely at the patterns and cultural resonances of family crime in chapter 5, but here I note some features of their social context. Reports of familial killing spiked even more dramatically than those of other crimes during the 1580s and remained a substantial proportion of reports in the following decades. The connection with economic strain is as clear as in the rising concern with robbery. The perpetrators were often seen as deranged—blinded by Satan to the point that they lost their senses and killed their nearest and dearest. But these were not the proverbial crimes of passion: there was no depiction of familial murder stemming from jealous rage, and only rarely was it shown as rooted in affective relations.[66] Rather, the standard feature leading to familial violence was economic conflict: business affairs went badly, the youth craved an early inheritance, the father had squandered his goods. Typically, too, these events took place in families that had something to lose. Yet just as typically, it was vice rather than economic circumstance that took the blame.

Christoph Bihl, a rich cooper ("von Reicher art"), had fallen from his original prosperity into actual poverty at the point when he killed his nine children in 1580. Although he had been respectably married for eighteen years, he finally fell into the Devil's clutches, drinking, gambling, and neglecting his work. His hardworking wife did her best, toiling in the fields and even pawning a dress to feed the children, but her husband wasted and gambled all of the money away. Unable to borrow grain to replace what he should have bought, he returned to the hungry children and killed them.[67] Such attribution of crime to the losses caused by drinking and gambling applied to children and subordinates, as well as to the fathers of formerly prosperous families. A song from 1573 tells of a young man in Danzig, son of a rich brewer who wasted his generous inheritance in loose living with bad company. His resources at an end, he teamed up with a crony to rob his guardian. They killed the man and his whole family, eleven household murder victims, then set a fire that burned five houses and a hospital full of invalids.[68] Similarly, a pamphlet from 1629 recounts the story of twins whose loving father sent them off with money and good advice, but they wasted it in drinking, feasting, and gaming. One of them killed the other, then went home to rob the father, killing his parents and two small siblings.[69]

The baker Heinrich Rosenzweig was quite wealthy, with a fortune of 5,000 Gulden, an honest wife, and seven children. But he spent all his time drinking and playing dice. After losing 77 Thalers one night in 1621, he went home to get more money, but everyone was asleep and he could not get into the house. Cursing and swearing, he wished for money from the Devil, who quickly appeared and threatened him with instant hell. Rosenzweig did not really need the Devil's money, but drink and gambling made him rash enough to summon the fiend. He took the money, lost it at dice, and went home "completely mad and senseless" to kill the whole family.[70] Obviously, it was not economic hardship but giving in to vice that made him unable to manage his money and opened the path for the Devil. A pamphlet from 1623 about another murderous father, the cooper Georg Weiß of Alsace, was explicit about the fact that times were hard, but this was no excuse—in fact, quite the opposite. Weiß "went every day to wine and beer / And wasted thus his goods." His honest wife remonstrated: "My husband dear, don't do this please; / Think of the dreadful dearth, / How I and all your children small / Such hunger great do suffer." But he persisted in his wastrel ways and one night killed them all.[71]

In a few cases, pamphlets did explicitly acknowledge the desperation to which impoverished parents could be driven by the inability to feed their children. In these cases, the moral blame fell on hardhearted neighbors who failed to relieve them. Several pamphlets from 1580, attributed to presses in Vienna, Strasbourg, and Schweinfurt, repeated the story of a poor widow in Brabant who, spurned by a rich but greedy nobleman, was driven to kill her children and herself. Although her actions were seen as inspired by the Devil, it was the nobleman who suffered the extraordinary punishment of being swallowed bodily by the earth.[72] In a similar story from 1602 printed in Danzig, it was a rich baker who turned the poor widow away, even though she and her children had been without bread for three days. Also, it was the baker himself who kept prices high and caused the misery. The Devil drove the widow to drown herself and her children, but not before cursing the avaricious baker and laying their deaths on his head. The baker's bread turned to stone, and demons tore him limb from limb.[73] Even less sympathetic parents could suffer similarly.

In most cases, however, the problem was in the family itself, even if there was no drinking and waste to blame. While some accounts ascribed no motive or other sources of conflict, economic issues persistently recurred even in the wealthiest settings. Perhaps the most notorious of familial murderers was Blasi Endres, with at least five published accounts in 1585 of how he killed his wife, three children, and three servants. He was a prosperous and prominent citizen, an innkeeper and a factor for several merchants in the town of Wangen. Accounts stress his status as a "distinguished person," a man "decent, distinguished, and well known, prosperous and settled," a judge and Burgermeister.[74] Although money troubles feature in several versions of his story, they certainly had not led to hardship. He found a shortage in his books and flew into a violent rage, killing first his wife and then others. Some versions place at least part of the blame for the family conflict on financial losses caused by his wife. Alternatively, the problems stemmed from *die Wuchen,* a term used generally for capitalist profit but implying ill-gotten usury. It was not entirely clear whether Endres was the victim or the perpetrator of sharp economic practices, but certainly the violence was tied to flawed relations with money.

Killers from the younger generation similarly showed economic motives, especially the desire for inheritance. The son of Mattheus Weiß set a murderous fire after killing his father for money in 1583.[75] Franz Seüboldt, a brewer and burgher of Greffenberg, ran into debt and killed his father over money in 1589.[76] The children of Jacob Eliner conspired to murder their father to prevent his remarriage and the loss of their inheritance.[77] The dreadful daughter Magdalena, whose story was transposed to at least two different locations in the mid-seventeenth century, killed her parents and young siblings. She took to keeping company with murderers and bore two illegitimate children, but the event precipitating violence was her father's refusal to turn over her inheritance. Her cronies egged her on to kill him and get the goods immediately.[78] Even the murder of a rejected lover was attributed to the desire to marry a wealthier prospect in a song from the seventeenth century.[79]

Putting together familial crime with the larger picture, the depictions of crime in street literature tend to locate crime in two distinct milieux: one in the world of outsiders, the other in society's most settled and intimate spaces. Reports of witchcraft form a link between these two areas, but they are usually quite separate. In fact, the combination of these two sites of threat likely contributed to witchcraft's special horror. Fears of violent danger from the social margins were expressed in accounts of roving bands of murderers, often thought to use magic to aid in despoiling their victims and escaping detection. In the more common accounts of individual crimes, however, it was usually not vagrants but settled members of society who turned to violence. Strikingly often, in fact, the killers came from prosperous social levels. Of course, as noted before, the crimes that made their way into print were not the most typical but those considered unusually noteworthy. Obviously, crimes committed by the wealthy or prominent often receive disproportionate attention in modern media, as well. Still, the images conveyed in print tended to divide crime and the social sources of violence into two main streams:

the itinerant margins, where bloodthirsty bands of cutthroats attacked strangers for their money; and the settled social center, where conflicts over wealth caused violence within the household. Both groups were inspired by the Devil and represented gross transgression of religious and social values, but both were equally focused on violation of economic order. The love of money—or perhaps anxiety over money—was indeed the root of nearly all murderous evil, even when the killing led to no actual gain. It was not just the have-nots who stood in problematic relations with wealth. The center of criminal violence in these texts—certainly in the many that focus on familial killings—is the middling level of prosperous burghers and peasants. This prominence of economic factors appears even though street literature seldom dealt with property crime per se.

The picture of social relations in the crime accounts highlights a number of points of transition that defined the early modern era, such as the decline in noble feuding and the concern with vagrant outsiders as sources of danger. Its more general message, however, was that violent crime could erupt anywhere, in the heart of seemingly stable communities. This was a different sort of violence from that with which men dealt daily, the confrontation in tavern or street that could be defused by effective management on the part of bystanders. Rather, this violence would be sudden and deadly, unpredictable. It did have its preamble, in the wrong relation of the individual killer to wealth and social standing, either the grasping for more or the wasting of what one had. But such moral failings of adjustment were so widespread as to offer little comfort in the way of an early warning system.

Law and the Rational Hero

2

IN 1532, EMPEROR CHARLES V ISSUED A NEW PENAL CODE FOR THE Holy Roman Empire. The document, known to history as the Carolina, encapsulates the modern approach to criminal justice that increasingly gained ground in the sixteenth century. This was a matter of practice, system, and rationality, but it was also a matter of culture and communication. If popular printing often tended to emphasize the horrific aspects of crime, official discourses tended to adopt the language of reason. The elements of display and persuasion in appeals to the emotions are obvious, from the execution spectacle to the grisly broadside. But the rhetorical and constructed character of the rational perspective often goes unnoticed. There are parallels, though, in how each can tend to seem ahistorical or unrevealing. A rational approach to crime may seem self-evident, a matter of common sense; an emotive response may seem natural, an instinctive and inevitable reaction to extreme violence. These perceptions have a grain of truth. Certainly, reason works better than unreason or foolishness, and people are horrified by the eruption of bloody violence. But these responses are not really so obvious and unproblematic. The "rational" response of one time and place—such as the use of torture to elicit confession from the guilty, to meet strict standards of proof—arouses horror as barbaric in another. Emotional triggers, too, are differently set in different eras. Both rational and emotive responses to crime also take on new meaning when turned into public discourse, where they become attempts to communicate and persuade. Increasingly, in the age of print, these were attempts to forge large and disparate audiences into a rhetorically constructed unity. Each approach puts crime to cultural use and implicitly connects it with a wider range of assumptions and agendas.

Although it appeared in print in multiple editions, the Carolina is, of course, a specialized text with a far more defined audience than the other works examined in this book. It merits close attention nonetheless—partly as the most powerful procedural model shaping criminal justice, and partly as a shaper of early modern minds and reflector of shifting ideals. The Carolina has been widely studied for the information it provides about the processes and standards of early modern criminal justice. Less noted has been its persuasive power. Here, state building appears as a matter of common sense, grounded in the shared quality of human reason—just as shared horror at despicable acts could align readers of sensational texts on the side of law and order. In the Carolina, the figure of the judge embodies the ideal man, led by intelligence and reasonableness to support governmental authority. The law code is different in style from street literature—unsensational, dry, and bound to fixed institutional purposes. It is also unlike works of fiction and drama. Yet for all the obvious contrasts, there is cultural kinship among these works. Seemingly the least imaginative of texts, the code still fostered and depended on an image of the rational self that required a rejection of older modes of thought. In its promotion of reason and methodical procedure as the key weapons against crime, the code downplayed the law's reliance on force, despite the raw physicality of early modern punishment. Combating crime in the application of criminal procedure, the code advanced cultural ideals similar to those of the rational heroes who appeared in some fictional works dealing with themes of crime. Together they posited a "common man" who relied on reason to subdue the forces of disorder.[1]

From one point of view, the law code is matter-of-fact and straightforward, at the farthest possible remove from mere stories. It is a tool of power, governing the operation of criminal justice and directing the use of force that inflicted very real physical punishments. On the other hand, the order created in the legal text is obviously a different thing from real life. The code prescribes how things ought to be. Even if all courts could enforce the code to the letter, it would not be any less a construction of the mind, only a phenomenally powerful one. Further, this mental construction is not finished by the writing or promulgation of the code; it is reenacted in the minds of those who read, absorb, and act on it. This reception of the text is shaped by modes of understanding drawn from the culture at large, as well as by relations of power. From this point of view, the penal code shares common ground with works of the imagination.

The Carolina is a well-established historical landmark. Laying out rational procedures, rules of evidence, requirements for written records, and appropriate punishments for various crimes, the Carolina has long been recognized as a curb on abusive or arbitrary justice. As an attempt to unify policies of criminal procedure, it marks an advance toward the more activist state. Its rules offer substantial insight into early modern criminal justice. Legal historians have studied it as a classic of legal procedure, and Germany's earliest academic jurists revered its authority. At the same time, it was a powerful piece of writing. Eberhard Schmidt even compared its achievement in German prose with Luther's translation of the Bible.[2] It operated, of course, in a very different way from other forms of public discourse about crime, such as topical crime reports, moralistic literature, fiction, and drama. As an authoritative text, it commanded distinctive forms of attention and response. Yet it was also a piece of persuasive writing, attempting to forge a common understanding of crime and the law through the use of print.

It was not the first work to take on such a task, although it was the first with the imperial imprint. Ulrich Tengler's *Layenspiegel* (Mirror for the Laity) of 1509 was among the most widely read of earlier legal works addressed to lay readers, with German explanations, woodcut illustrations, an orderly table of contents, and even marginal citations to legal authorities.[3] The success of such works testifies to a growing lay readership influenced both by the stirrings of humanism and by new ideals of written law as a unifying force. The humanist faith in self-improvement through rational education informed both entertainment and practical handbooks. Sebastian Brant, another legally minded humanist, endorsed and published Tengler's manual alongside his own voluminous output of legal works, poetry, and, not least, the bestselling *Narrenschiff* (Ship of Fools) of 1494. It was in this context that precursors of the Carolina arose, including the Bamberg law code that formed its basis.

Germany's political decentralization made the Carolina's literary and rhetorical aspects even more crucial than for most legal codes. Although subjects of the Holy Roman Empire, hundreds of political entities operated with varying degrees of independence. The most imposing were the great principalities of the seven electors—rulers who held the power to elect each emperor, in addition to immunity from imperial interference in their own territories. Substantial local autonomy was exercised by the sixty-six imperial free cities, various principalities, counties, and bishoprics large and small—even down to more than a thousand imperial knights with tiny territories. With efforts at reform around the turn of the sixteenth century, the empire had some central machinery—the Reichskammergericht (federal court for civil cases) and, of course, the Reichstag (Imperial Diet), with representatives of the electors, princes, and cities. Imperial institutions held substantial prestige, and the central courts offered effective resolution of conflicts, but only if people chose to appeal to them.[4] The empire was not a united political body, especially once the Reformation introduced religious discord to complicate its political life.

Given this loose political structure, the Carolina could not simply be imposed from above. It describes itself, in fact, not as a code of laws but as a compilation of legal rules, drawn up under imperial authority to spread legal knowledge among local officials and court personnel. The need for such a book, according to the preface, arose from the fact that local courts were typically staffed with people unlearned in the law.[5] It was thus essential to its mission for the Carolina to be published and distributed as a practical guide for local authorities. The Carolina could not simply prescribe; it also had to persuade. First, it had to persuade a literate but inexpert audience that reasoned legal principles were within their grasp, in the form of this plainspoken vernacular guide. Second, and somewhat paradoxically, it had to persuade these same readers that, given their limited legal understanding, it behooved them to seek out expert advice. Third, it had to persuade them that these universal legal principles should take precedence over their own predilections. Effective persuasion, of course, operated partly through factors outside the text, such as the prestige of the imperial imprint, imposition of the code by territorial authorities, or the felt need for a reliable legal standard. But the text itself played a key role in this persuasive task.

The movement for legal reform arose from the confused state of German legal practice around the turn of the sixteenth century. The gradual adoption of Roman law was already in progress, with book learning imported from Italy replacing traditional German justice. This meant an increasing demand for legal expertise, in place of the older reliance on the judgment of upstanding laymen. It also meant an increased push for uniformity, often at the expense of local customs. Along with this shift toward professionalization went increasing governmental responsibility for prosecuting crime, and increasing adoption of the Roman inquisitorial model in place of the tradition of suit brought by injured parties. But while governmental action increasingly followed the Roman model—with investigation of crimes by public officials and use of torture to extract confessions—the legal training that was supposed to accompany these procedures was still rare. Not only did local courts have a longstanding right to judge independently according to their own conception of law, but also the developing class of experts, trained in the Roman and canon law taught at universities, tended to focus on the more pleasant and lucrative civil law. Complaints about arbitrary and abusive application of criminal laws multiplied.[6] By the late fifteenth century, imperial diets were addressing the problem and passing resolutions for reform.[7]

The cause of judicial regularity and rational standards was taken up by Johann von Schwarzenberg, author of the Bamberg penal code that served as basis for the Carolina. Dubbed the "Bambergensis" by legal scholars, this code was published in 1507 and became a widely used manual even without imperial sanction. Much of it was incorporated verbatim into the later imperial code. Like the Carolina, the Bambergensis was directed against abuses caused by the legal ignorance of local court personnel. Though the code draws heavily on Roman principles, Schwarzenberg himself had not been to law school and, by his own account, did not even read Latin. Instead, he was a living example of lay adoption of learned standards. A nobleman who rose in the traditional way, he drew on his experience overseeing courts in Bamberg and on what the legal experts could teach him. He combined these elements into clear and direct vernacular expression, with a skill he also exercised in various literary genres. The publication of the Bamberg code even included woodcuts to appeal directly to the unlearned. Like his law code, Schwarzenberg moved into imperial politics in the 1520s, participating at meetings of the Reichstag where early versions of the Carolina were drafted. Even before its involvement in imperial affairs, the text that became the Carolina had a more basic educative and persuasive goal of spreading common principles of law.[8]

The texts of these law codes present a curiously disembodied version of legal procedure, in sharp contrast to the vivid narratives of street literature. This was a time, after all, when the essence of punishment was physical. Falling afoul of the criminal law meant that authorities literally had the right to harm the body, to cause physical pain or death. The standard terms applied to this field of law reflect that reality. The penal law was *peinlich,* involving the infliction of painful punishment. The criminal code was the *Halsgerichtsordnung* (literally, "neck-court-ordinance"): rules of the court that had the power to hang, the power of life and death. Torture was fully legal in cases where the evidence pointed to guilt but the accused refused to confess. It was also used as a legal tool when officials suspected that a confession was incomplete.

And torture technically came before the "punishment" phase. Once torture had been used to fully establish guilt, additional physical torments might be applied to fit the crime. The penal codes give little sense of the groans and sweat, the physical reality of their application, just as they give little sense of the often violent experiences of perpetrators and victims of crime. The glossing over of such matters should not be seen as an attempt to sanitize an unpleasant reality. This would be to read modern sensibilities into them. The woodcut pictures of torture methods and punishments included with the Bambergensis show that authors and readers were not hiding their eyes.[9] Instead, the physical reality was taken for granted but often ignored as beside the point. The framers and their audience knew exactly what torture and punishment were; their concern was to regularize them and subsume them into an orderly framework. In these texts, the physicality is an unquestioned given, outside the area of main focus. The effect is to rationalize the reality in a dual sense, both to impose order on it and to justify it, as part of a system based on common reason. In contrast to the broadsides and pamphlets that presented visual images of punishment, the goal here was anti-sensational: not to stir up emotional response but to set it aside in favor of adherence to rational standards.

In some ways the Carolina is an ambiguous text, despite its vigorous language. Imperial legal reformers had hoped to establish a new, universally binding code that would sweep away the confusions and errors of conflicting local practices. This ideal was not fully realized. A draft proposed at Speyer in 1529 ambitiously claimed to supersede all local customs and privileges, but resistance from the imperial estates forced a retreat. The final version, approved at the Regensburg Reichstag of 1532, took a much more modest stand.[10] The foreword to the printed editions proclaims the goal of spreading the Carolina throughout the empire, then carefully provides for the preservation of local rights: "But we would in no way detract from the old, well-founded, lawful and just customs of electors, princes and estates through this our gracious reminder."[11] While it hoped to establish a common standard and eliminate errors, the Carolina fell short of overhauling traditional differences in customary law.

Scholars have differed on how seriously this "saving clause" limited the code's impact on legal practice: Was it binding except where it conflicted with longstanding precedent, or was it merely an imperial advice book? The proviso that local customs must be well founded, lawful, and just might seem like a broad ground for imposing the imperial standard, but as Schmidt pointed out, there was no authority in a position to enforce this rule effectively.[12] Legal historians of the late nineteenth and early twentieth centuries generally liked to view the Carolina as a binding imperial law, but despite this grand-sounding dignity, they had to admit that imperial law occupied a second rank behind prevailing territorial law. More recent commentators have tended to demote the Carolina to a set of recommended guidelines, though one with substantial influence.[13] Individual territories and cities continued to issue their own penal codes and ordinances after the promulgation of the Carolina, as before. While they often made reference to the imperial regulation or incorporated parts of it, they evidently did not feel bound to do so.[14] The legal faculty at Tübingen expressly stated in 1566 that the imperial code was binding only where it had been adopted by local authorities.[15] The Electorate of Saxony resisted its sanction of capital punishment for homicide for decades.[16] However, by the late sixteenth century, the Carolina was commonly being cited as an authority even in a place like Basel, which was not directly subject to imperial rule and had not formally adopted it.[17] Its influence derived as much from its content and prestige as from an enforcing power behind it.

The persuasive powers of the Carolina were directed at an audience with at least three distinct levels. At the highest level were ruling officials of the various territories and jurisdictions within Germany. In Frankfurt, for instance, the government referred its courts to the Carolina for criminal matters in its legal reforms of 1578, while other ordinances, such as that of Bavaria, ignored it.[18] These authorities, like professors adopting a textbook, formed a decisive audience, but not the largest. At the lowest level, the Carolina directed that sections should be made available to parties in legal cases.[19] Since the parties had to request extracts and pay copying costs, this provision favored the literate and prosperous. Still, the general public was not only affected by application of the code; it theoretically could have access to the text.

The Carolina's central audience, however—those for whom it was designed—lay in between the governing authorities and the public, in the local criminal courts. The thirty-nine editions of the Carolina published during the sixteenth century were addressed to all subjects of the empire with a role in the administration of criminal justice.[20] The core audience included particularly judges, jurors (*Schöffen*), and clerks. Of these, the clerks (*Schreiber*) were the most likely to have at least a smattering of legal training. Judges, whose role was becoming increasingly prominent with the spread of Roman law practice, still owed their positions to social status rather than legal learning. Schwarzenberg himself, as noted earlier, was not a learned jurist but a nobleman who supplemented his judicial experience with advice from academic experts. The *Schöffen,* who traditionally determined the verdict in German courts, were not jurors in the modern (or English) sense. By the sixteenth century, they were appointed officials, attached to the court, assigned to hear the evidence and render a judgment. In some areas, they were members of the town council. Like judges, they were drawn from the prosperous and prominent men of a locality, but they were even less likely than judges to have formal legal training. In local social terms, they were members of a powerful elite, but to the Carolina they are laymen in need of rule and advice.[21]

The Carolina clearly found receptive audiences at the local level, as well as among legal experts who already recognized the need for uniformity. The steady stream of editions points to a constant demand, and by the late sixteenth century, many localities were formally adopting its provisions in their own reformed legal codes.[22] Monika Spicker-Beck has pointed to widespread adoption of its criteria for the collection of information in cases of robbery and murder.[23] However, archival remains are likely skewed in the Carolina's direction, because the maintenance of extensive written case records often came only with thoroughgoing adoption of the procedures recommended by the Carolina itself. Certainly, local courts did not always follow it to the letter, even when they accepted it in principle.[24] As part of the much-contested introduction of Roman law into Germany, the Carolina was hardly the neutrally rational text it pretended to be. Local lay officials did have something to lose in the professionalized jurisprudence it promoted, but opponents of Roman law apparently did not attack the Carolina itself.[25] If some did resist, their hostility probably took the elusive form of simply ignoring it. In any case, however well the Carolina succeeded in converting early local audiences, its key goal was certainly to have local courts accept its prescriptions and apply them in practice.

THE CAROLINA'S MODES of addressing this audience—its structure, themes, and language—are central to its task of regularizing the administration of justice. For my purposes, the particular provisions of the

Carolina, which have been analyzed by legal historians, are less central than its approach and assumptions. To begin with gross structure: after its opening preface, the Carolina proceeds in 219 articles, organized in a fairly orderly progression. The opening items focus on the personnel of the penal courts, then general issues of procedure and evidence. Articles on the evidence required for various different crimes follow, particularly with reference to the application of torture. A large number of articles discuss the use of torture, including how those who confess to various crimes should be questioned to insure that their confessions are true (arts. 45–61). Then the document turns to other kinds of proof, particularly the use of witnesses (arts. 62–76). Procedures for final judgment take up articles 77–103, followed by punishments for various crimes (arts. 104–98), with special sections on homicide (arts. 130–50) and theft (arts. 157–75), including grounds for leniency in extenuating circumstances. The final items return to miscellaneous general issues, including provisions for the building of gallows, and ending in article 219, with details on how and where to seek advice.

This organization by topic and number serves some obvious purposes, both practical and rhetorical. As a practical matter, of course, the organization allows readers to consult the manual on a given point without reading it as a sequential text. Many of the articles are provided with descriptive headings to aid in its use as a reference work. The numerical headings are also useful for the citation of particular provisions (whether by legal practitioners, commentators, or historians). At the same time, the structure is an implicit analytical statement: issues of criminal law can be classified, labeled, and ordered, reduced to a rational system embodied in a printed text. The text implicitly seeks to promote rational abstraction in its users. The concrete circumstances they encounter should be diligently examined but then referred to the common standard for evaluation. Thus the mode of presentation serves also as a means of persuasion.

From a modern rationalist perspective, the behavior that the Carolina seeks in legal officials may seem unproblematic—a matter of common sense. Text and structure alike promote this view. You encounter a case in criminal justice; you examine it carefully; then you look it up in your manual (or, in more complex cases, seek expert advice) and act accordingly. Obviously, this sequence of actions presumes a ready reliance on written texts, but it also competes with alternative political and intellectual models. Certainly, the centralizing and Romanizing tendencies of the Carolina were clear to contemporaries. On the one hand, there had long been calls for the reform of legal abuses, such as arbitrary inquisitorial procedures and the use of torture; these features of Roman law had been spreading in the fifteenth century without the control that a common standard could bring. The search for judicial regularity was the original impetus behind the Carolina. On the other hand, localities might resist the imposition of rules from outside, however rational and consistent—thus the wrangling at imperial diets and the introduction of the "saving clause."

But the shift to reliance on a universal written law was not only a matter of conflicting political interests between central and local powers. It also demanded a conceptual allegiance that denied alternative views of legal reason. In particular, officials using the Carolina were supposed to place its analytical model above two alternative criteria for judgment, each equally consistent with an alternative brand of common sense. The first was custom. In political terms, custom represents local autonomy, but it also represents a different intellectual standard: that of precedent and communal memory instead of abstract principle and uniformity. The Carolina gives lip service to customary rights in its "saving clause," but its own goal is standardization, and it tends to see divergent local practice as a habit born of ignorance and error. The second alternative standard is unaided reason—the ordinary person's concept of equity, probably the most popular idea of common sense in the sixteenth century as in the twenty-first. The Carolina emphasizes the errors to which this can lead, and it constantly reminds readers to seek advice when they are ignorant of the written law. The text persistently urges its audience to adopt its own standards—text-based, uniform, and abstract—while incorporating them into a transformed view of legal common sense.[26]

The Carolina also departs from customary German practice in making the judge the chief actor in legal matters. He is the central character, even the hero, and his actions are the text's central theme. Traditionally, the judge had presided in German courts but had taken no part in finding the verdict, which was the job of the *Schöffen* or other *Urteilsfinder* (verdict finders).[27] The Carolina, following the inquisitorial procedures of Roman law, places the judge at the center of the investigation into truth and the court's deliberations. At the same time, it invites the other members of the court to emulate the judge's virtues. The code lays out oaths for each type of official, emphasizing the great trust they undertake. It calls for the filling of all criminal courts with the best people available: honorable, upright, experienced, intelligent. Nobility or learning would be a plus, but the code recognizes well-intentioned laymen as the norm. Above all, they must be *verständig* (sensible or intelligent), a quality that recurs often in the code as a hallmark of the judge's craft and the key to his success.[28]

The Carolina's usage of the term *verständig* is somewhat ambiguous, however, as it overlaps with the more specialized *rechtverständig,* which refers to the possession of legal expertise. *Verständig* is a more flexible term that shifts its meaning with context. Thus, even women can be described as *verstenndige* when their knowledge is required for the examination of an infanticide suspect.[29] The general term sometimes moves close to the specialized one in meaning, as when only court personnel who are *verständig* of the legal procedures for hearing testimony should be allowed to do so.[30] At other points, the term suggests the more general quality of good understanding. The first article, for example, demands that all criminal courts should be staffed with "upright, honorable, intelligent and experienced people," although the text notes throughout that they cannot all be *"rechtverstendigen."*[31] The overlapping of meaning offers a bridge to the lay audience from their natural *verständig* quality into an understanding closer to the Carolina's ideal.

The text constantly encourages its readers to identify themselves with this model of rationality, partly by showing the beneficial effects of judicial reasoning and partly by the use of universalizing terms to describe its values. This rhetorical appeal appears in the preface: the audience is to conduct itself justly and according to law, "as every man is doubtless inclined to do for himself and for which he hopes to receive his reward from the Almighty."[32] This upstanding everyman appears repeatedly in prescriptions on judicial activity, with emphasis on his rational intelligence. "Every diligent and sensible man" can think out for himself, based on the examples provided, the various circumstances that may affect the credibility of an accusation elicited under torture.[33] Again, from the examples of how those who confess under torture should be questioned to ensure that their confessions fit the circumstances of the crime, "every sensible man" can extrapolate to other cases.[34] The conscientious inquisitor will take nothing at face value but will make detailed inquiry; he takes an active role in uncovering the truth through use of his rational understanding. The degree of torture is to be determined according to the circumstances, "according to the judgment of a good, intelligent judge."[35] The text notes that many courts are staffed by people who are not legally knowledgeable (*rechtverständig*), but it encourages its audience to identify themselves as *verständig* enough to follow and apply the rules laid down in the Carolina itself—and yet above all, perhaps, to know when to call on the experts, a course the document constantly recommends for doubtful cases.

In discussing the different levels of legal understanding in its audience, the text describes its readers—or at least some of them—as "the common man." This term, usually used to describe social status, here refers to the laymen sitting on criminal courts, "common" because of their lack of legal expertise rather than because of low social level. These men were of high enough social status to staff criminal courts, but for the Carolina, their lack of legal training might lead them to make mistaken judgments.[36] Because of this concern, it provided concrete examples of difficult issues, such as when to excuse accidental homicide and when to hold the culprit at least partly responsible on account of negligence. From the examples, *ein verstenndiger* could "well observe and understand" how to handle other cases. But the *vnverstendigen,* who might otherwise decide inconsistently and unfairly because of their ignorance, could obtain at least the beginnings of understanding from the Carolina itself: "Thus the said short explanation and warning is given for a good reason, so that the ordinary man may get some understanding of the law from it."[37] Still, they should continue to look to the experts to help them with the fine points: "However, these cases sometimes have very subtle distinctions, which cannot be made comprehensible to the layman who sits on criminal courts; therefore the judgment finders in the abovementioned cases, when it comes to judging guilt, in view of the above explanation, should not scorn the advice of knowledgeable people, but follow it."[38] The model legal everyman, then, is a man of reason, but one who is willing to recognize his own limits and defer to superior knowledge.

This quality of understanding expected of legal personnel is not an elevated intellectual one; it is ordinary reason, even common sense—but a common sense shaped by literate official culture. The framers of the Carolina could not hope to staff all courts with highly educated men. They did, however, hope to staff them with the educable—people who would look to a model endorsed by experts and envision themselves as cooperators with them in a common enterprise. The common law is presented as a rational script enacted by a hierarchy of actors, from the local Schöffen up through imperial counselors. The core intended audience of the Carolina is the bottom layer of this hierarchy, depicted as a stratification not of status but of objective knowledge. The text recruits the locals' loyalty by inviting them to identify themselves as the sensible, honest, diligent practitioners modeled there. Further, it invites them to assume those qualities to be common, natural, the normal qualities shared by *ein jetlicher* (everyman).[39]

Not that they should not take pride in them as well, for the actions and qualities of local officials are depicted in the Carolina as making all the difference in the law's success and the triumph of truth. The Carolina, as the model of correctness, generally shows them proceeding in a reasonable and dignified fashion, acting according to the proper formulas and applying the proper rules, so that each crime is punished exactly as it ought to be. They must be honest, diligent, and careful in order to make this happen, and the Carolina warns that judicial malpractice is punishable: in particular, judges who apply torture without proper attention to the rules of evidence may face unspecified punishment and payment of damages.[40] But the possibility of going astray merely underlines the standard of virtue and reasonableness portrayed here as the norm.

The common sense applied by the model judge in the Carolina not only guides him in the application of written rules to concrete circumstances, but also draws on his everyday social expectations to help him make judgments about people. This is particularly important in deciding whether to apply torture. Some cases were open and shut—if, for instance, a murderer was caught with the murder weapon. But if the direct evidence was not enough for torture by itself, other suspicious factors came into play, first among them the character and reputation of the accused: "First, whether the suspect is such a rash or heedless person, of bad name and repute, that one might expect the crime of him."[41] Even though the text lays down this criterion as a legally applicable rule, it takes no specialized legal training to judge what sorts of people were likely to commit crimes. A person with a bad reputation had already forfeited his honor and was thus not entitled to the legal protections extended to the honorable. This is not one of the numerous issues on which local authorities were advised to seek expert advice; rather, it is assumed to be part of common knowledge. The man of sense knows a disreputable fool when he sees one.[42]

The exercise of reason depicted in the Carolina is, of course, also the exercise of power, the use of governmental force. As in all legal codes from Hammurabi on, the impression created is one of inevitability: for every crime there is an effective, authoritative action, for every contingency a procedure. The effect could be both reassuring and intimidating. But for all the violence depicted in the Carolina, from homicide to the various forms of official execution, power is never portrayed as dependent on physical force. Rather, the judge is powerful because he knows how to find out the truth. He separates groups of criminals after their arrest to keep them from cooking up lies together. He hides all details of the crime until the suspect has confessed, so he can be sure the confession comes from real, guilty knowledge and not just fear. He checks details of the confession against the facts to make sure they are true. He refrains from applying torture until he has precise and adequate presumptions of guilt. Such fact-finding ability, far less relevant to older jurisprudence, was essential to the newer inquisitorial model. The Carolina offers its audience both the model and a tool for realizing it, with the promise of power, not only over disorder and violence, but also over doubt. When individuals applying the Carolina were still unsure, the experts would know what to do.

THE CAROLINA SHARES literary ground with a broader body of printed literature that sought to unite people around common values. Its model of the rational lay judge shows a strong kinship with the ideals promoted in more general texts aimed at a public literate in the vernacular. The Carolina participates with these texts in the creation of a common discourse of reasonable people—those who have common sense, as well as those who are orderly and help to preserve order. It advances the idea that the complexities of law and the disorders of crime can be made intelligible, not just to experts, but to the ordinary person (at least to the point that he knows when to consult the experts). To convey this, it uses a style that was becoming popular in literature addressed to a general audience, from the *Ship of Fools* of Sebastian Brant (a lawyer by trade) to *Das Büchlein vom Zutrinken* (Little Book on Drinking Bouts) written by the Carolina's author, Schwarzenberg himself.[43] The straightforward German of the Carolina is more formal than the language of popular literature, but similar in its assumptions of shared values and meanings, and in its careful avoidance of anything obscure. In contrast to real social intercourse, the language of these texts ignores status differences and instead promotes an image of universalized human values. Here reason triumphs over folly, order over disorder, the rational judge over the senseless criminal.

In some ways, of course, such universalizing discourse is not new. The ideal of Christendom had long offered a means of asserting an essential bond linking all Christians together. Indeed, the Carolina draws on this tradition in its preface, where everyman is expected to adhere to its values partly out of hope in Christian salvation. But at its base, this discourse is a secular one, whose voice is that of the layman. One can see a kinship with humanist values, moving beyond scholars. This view assumes a shared moral orientation but places particular stress on mental qualities. The rational lay hero differs from the traditional Christian everyman in emphasizing the right and ability of the layman to think and act for himself. He also is less universal, despite the rhetoric of inclusiveness. For one thing, of course, the very need for the Carolina's brand of hero depends on the existence of his opposite. Every Christian is a sinner, but the lay everyman is the antithesis of the criminal. This marks a real divergence between the discourse of sin and the discourse of crime. Further, the rational hero is limited by gender and class. In the Christian tradition, no one seriously denied women souls, but it was easy to downplay their intelligence, and the heroic model of rational virtue usually excluded them. The barrier of class was just as real, though the discourse worked harder to obscure it. The shift into vernacular greatly expanded the spread of written discourse, but not necessarily its social level, at least not at first. Although the literate public was growing, it was still limited to the more prosperous sectors of urban society, especially for works longer than pamphlets and broadsides. Not everyone could be everyman.[44]

Familiarity with the written or printed word is, of course, not simply a matter of skill in decoding signs. The act of reading itself involves the imagination, conjuring up a multitude of meanings from shapes, just as oral language does with sounds. But this early modern textuality goes beyond these basic imaginative qualities to demand a more systematic and socially directed use of the imagination, even for so seemingly dry a text as the Carolina. The demand for rational abstraction from concrete circumstances itself requires an imaginative leap; and the admirable figure of the capable judge provides an embodiment of values to promote that leap. While seeming to ask for a purely intellectual adherence, a recognition of its objective value, it actually courts psychological commitment to an elevated model of the judicial self (and implicitly promises political and personal rewards for that commitment). The imaginative quality of literature is more obvious, but its kinship with such instrumental texts as the Carolina is easy to overlook. The uses of imagination in more popular works, and in particular their uses of crime, suggest how cultural imagery intertwined with relations of power.[45]

Although Schwarzenberg and the framers of the Carolina were certainly members of a ruling elite, the Carolina was much more than just an instrument of rule. It worked partly through rhetorical strategies that enlisted the aspirations of its audience and encouraged them to identify themselves not as members of a particular estate or class, but as men who held to a common set of values, virtues, and standards of reasoning. Thus it served the framers' purposes to include the "common man," even if only the relatively few who served on penal law courts. Of course, these lay jurists were near the top of the social scale in their own localities. Yet in identifying them with men in general and with a common-sense standard of judgment that recognizes its own limitations, the Carolina was not only encouraging the application of its own rules but also promoting broader cultural ideals. At the same time, in political terms, it cast government as a matter not of force but of reason.

It is no accident that Schwarzenberg, author of the text that eventually became the Carolina, also pioneered in new genres of popular moral literature. In addition to his extensive judicial and political activity, Schwarzenberg produced a German version of Cicero, a satire against drunkenness, a poetic meditation on grief inspired by the death of his wife, and, from the early 1520s, pro-Reformation propaganda. His combination of interests reads almost like a catalogue of emergent bourgeois moralism: civic humanism, sobriety, domestic affection, lay religious reformism. Schwarzenberg himself, of course, was no burgher; his activities in centralizing imperial politics led one contemporary to describe him as "the enemy of all cities."[46] But a central thrust of these emerging values was precisely the denial that status should determine values. Instead, such works invited recognition of a common identity based on objective reason and virtue. One could trace similar themes of reasoned virtue in a multitude of humanist-influenced texts. I will look here at some examples that link such thinking particularly with questions of crime, to show how fiction, as well as law code, contributed to a cultural model of the rational hero.

Such concerns informed a multitude of works in the first half of the sixteenth century. The possibilities for cultural uses of crime are made clearer by Georg Wickram's novel *Von Guten und Bösen Nachbaurn* (The Good and Bad Neighbors [1556]). This is a work that forms a bridge between the world of officialdom, which both Wickram and Schwarzenberg inhabited, and the broad public that read Wickram's popular stories and novels. Wickram held respectable official positions in Colmar and later in Burkheim. As city clerk, he was likely familiar with the Carolina, but the cultural parallels are more important than direct contact. *The Good and Bad Neighbors* is a multigenerational saga of friendship and family life, directed, like Wickram's other works, to a largely bourgeois audience. Though not a bestseller like some of his other productions, *The Good and Bad Neighbors* was printed in at least two editions. The dedication, addressed to a Colmar goldsmith, specifically mentions the work's benefit for youth like the goldsmith's sons, who will need to travel in learning their business. The heroes are merchants, living a cosmopolitan life of far-flung travel but also sustaining closely knit family ties. Given the amicable relations of the friends and family members in the novel, its main conflicts come from outside threats of theft, assault, and murder—that is, from crime. In their confrontations with violent disorder and dishonest dealing, the merchant heroes display qualities that parallel the virtues of the Carolina's sensible judge: sober rationality, wary vigilance against wrongdoing, and investigative zeal. As the story shifts from one main character to another across generations, these upstanding men are virtually interchangeable in their qualities of prudence, intelligence, and loyalty, which they use to foil attempted crimes.[47]

The first assault is averted through forethought. A jealous rival attempts to murder the hero Richard, only to find that Richard is by no means a helpless victim even to surprise attack. He never ventures out at night without armor hidden under his clothing, prepared to defend himself. Although they are outnumbered, Richard and his friend Lasarus scatter their assailants, leaving two hired assassins dead in the street and the instigator badly wounded. Having proved themselves as men of action, the heroes proceed to detection. In the morning they visit the local barber-surgeons one after another. At the fifth they find the culprit, now lying mortally wounded. He confesses and begs forgiveness. As good citizens, the heroes inform the authorities of their actions and receive congratulations, while the dead ruffians are delivered to the hangman for burial.

The virtues that enable the heroes to triumph over crime are honesty and bravery but also a practical intelligence that leads to forearming and investigation. These qualities migrate easily from one upstanding merchant hero to the next. The novel's chapter headings advertise how the heroes "followed the trail" and recovered stolen property "with clever methods."[48] In the next generation, another hero, Ferdinand, frees Lasarus's son from suspicion in a case of jewel theft by setting an elaborate trap for the real thief. With his knowledge of the merchant community as a guide, he makes inquiries that lead him to the culprit. He is not only honest but smarter than those around him, and it is his greater understanding that leads him to victory. When he questions one of the suspect's associates, the young man divines nothing of his real purpose: "Heinrich, an innocent young fellow, did not understand the purpose of this speech or what Ferdinand meant by it."[49] Similarly, when Ferdinand and his friends arrange to confront the thief, they disguise their trap as an accidental meeting. The exposure scene highlights the cleverness of the honest merchants, especially Ferdinand, as they outwit and outmaneuver the dishonest Lorentz. The story celebrates their qualities of diligent truth seeking, especially in protection of the common honor of their merchant community, and the careful and deliberate use of intelligence.

Although these crime-fighting heroes are wealthy merchants, their virtues are portrayed as independent of their status. Both the shifty jewel thief and the jealous would-be murderer emerge from among their social peers. The attempted assassin was a rich young man who had hoped to marry Richard's bride, the thief a member of the young heroes' expatriate Portuguese community in Antwerp. The sources of crime here are not poverty or class difference, but rather the personal flaws of individuals who fail to cultivate rational virtue. Though social equals, they are moral inferiors with bad reputations. The unsuccessful suitor was rejected by the careful father despite his wealth because of the "excessive impudence and aggression that he showed everywhere."[50] The miscreants engage in drinking, dicing, brawling, and other bad behavior (*böse stück*), a natural prelude and accompaniment to their deeds of violence and thievery. Their lives form a sharp contrast to those of the orderly and hardworking family men who defeat them. Crime is a matter not of social location but of universal standards, as in the law code and in Christian morality.

Another rational hero emerges from the seemingly unlikely setting of biblical drama in the highly popular story of Susanna. This was among the most widely dramatized of themes in the sixteenth century, especially in plays written for schools, where the youth of the hero Daniel added to its appeal. Originally from the Book of Daniel, Susanna was relegated to the Apocrypha by Martin Luther but remained a favorite among Protestant authors. The story was valued for the heroine's exemplary devotion to chastity and familial ties, but also for the exploit of the clever young Daniel, who uses a rational inquiry into physical evidence to expose false testimony against the virtuous Susanna. In the original story, the beautiful and godly Susanna is solicited in her husband's absence by two elderly lechers. Rebuffed and vengeful, they use their influence as judges to have her condemned on a false charge of adultery. The young Daniel, aided by God's inspiration, reveals their falsehood. He questions each separately and catches them in conflicting testimony about the type of tree under which Susanna had supposedly lain with a young man. The evil judges are executed in Susanna's place. Obviously, the judges in this story fall far short of the Carolina's ideals. In fact, the abuse of judicial authority is a strong theme of the account. Daniel not only foils the judges' slander against Susanna but also accuses them of a long pattern of malfeasance: successfully browbeating other women into illicit sex, perverting their office with false judgments, condemning the innocent, and letting the guilty go free.[51]

Probably the best-known Susanna play is the one by Paul Rebhuhn, a close friend and follower of Luther. His version of 1535 went through multiple performances and printed editions. It is famed for its loving depiction of close family relations, including the affectionate laments and farewells between Susanna and her children, husband, parents, and sister before her threatened execution. The theme of rational justice gets less extended treatment, but it still forms an essential theme and source of explicit moral pronouncements from Daniel, the representative of God. He admonishes the elders, not only to be sure that they punish the guilty and protect the innocent, but also to guard against allowing differences of status to affect their judgment. Instead, they must investigate thoroughly:

> That here in future never more
> Should anyone a case decide
> Only to please a great man's pride
> Before you've looked at every fact
> So that your knowledge is exact.[52]

Though less prominent than Rebhuhn's version, the play by the humanist educator Sixt Birck, printed in Basel in 1532, elaborates more fully on the theme of justice. Humanist admiration for critical thinking and intellectual progress made the youthful Daniel an apt champion. Elders and jurists don't come off very well in the Bible, but Birck casts the story more favorably for the judiciary. The two lustful elders, as in the original, are judges, but here they have colleagues who are almost as skeptical as Daniel. When the accusers call for Susanna's arrest, the decision is far from the automatic deference to elders depicted in the scripture. In Birck's play, the demand for an arrest first prompts Susanna's husband and father, both members of the court, to recuse themselves while declaring faith in Susanna's innocence. The legal action unfolds with one judge presiding over eight others whose role appears to parallel that of the *Schöffen,* or verdict finders, of German courts. The presiding judge makes a cautionary speech calling for careful consideration before taking such a step as hauling a woman of prior honor and high standing into court. The panel excludes the two accusers as interested parties and sends them away. Then the presiding judge asks each of the others for an opinion. Three of them think that Susanna should not be shamed by an arrest without clear evidence. Another takes a middle position, suggesting that they send for her rather than bring her by force. But the majority trust the accusers and outvote them.[53]

This extensive treatment of judicial activity recurs in the deliberations at the trial itself. The chief judge takes a consistent and dignified stand in favor of impartial justice. Twice he reminds the two accusers of their obligation to tell the truth. Once they have accused Susanna of adultery, he consults the other judges about whether they should be required to swear to the charges on oath. This question evokes a lively debate in which Birck depicts those who support the accusers as ignorant misogynists. Several judges express distrust of a woman's word, arguing, "Women are full of trickery; / One who adultery will dare / As readily an oath will swear."[54] Once again, the wrong side wins the vote; the judges exclude the woman's oath as unreliable. The vote goes not only against Susanna but also against the arguments of those who have studied law. When the sentence of death is proposed, one of the legally educated judges loses his temper:

> The oath to her should have been free
> As with the old men equally.
> Those who in this have me opposed
> Have all their ignorance exposed
> Of law as well as equity;
> Indeed they act deceitfully.
> One should impartially proceed,
> Whether a man or woman plead.
> Misogynists of any sort
> Should be debarred from law and court.[55]

Two others join him in disgust at the ignorance and bias of the majority, but to no avail.

Now the stage is set for Daniel's intervention, and he duly appears as Susanna is about to be led off for execution. The judge willingly accepts his guidance, since God has given him wisdom beyond his years—another nod to the primacy of reason over rank. As in the biblical story, Daniel examines the accusers separately, finds a discrepancy in their testimony about the trees, and proves Susanna's innocence. However, in Birck's version, it is the judge rather than Daniel himself who sums up the lesson to be learned:

> Too much upon the person ought
> We not to place our care and thought.
> It will the judgment wholly blind
> To pay appearances much mind.
> Through this young lad God makes us see
> A rule of truest equity.[56]

The play endorses a vision of impartial justice found widely in legal discourse, not least in the Carolina itself.[57] While Daniel is the ancient story's hero, Birck's play adds several additional models of the rational hero. In Birck's hands, the story has become one of embattled reason—in the shape of right-minded jurists who try to reform the legal process—working on the side of God and truth. Obviously, the humanist contempt for traditionalist blockheads finds expression here, joined to an image of the rational hero as the ideal arbiter of criminal justice.

The rational heroes of Sixt Birck and Wickram show strong kinship with the judge protagonist of the Carolina. Like him, they use intellect and a common sense of justice to avert the evils that flow from criminal behavior. Like him, they are members of prosperous elites, and while their virtues of mind flow partly from a class-linked literate intelligence, they also overcome the weaknesses of their social peers and represent a universalized moral model. The young Daniel has a less obvious social identity, underlining the element of universality and the transcending of status. Fellow judges might commit perjury or cling to prejudice, fellow merchants stoop to theft or assassination. The rational hero's moral virtue, of course, appeals to values assumed as universal standards for upright behavior. It also aligns him with the well-regulated family and a gender order of beneficent male rule. In the Susanna literature, the heroes' reasoning and detection serve to protect the chaste domesticity of Susanna and her family. Some versions of the story offer extensive portrayals of domestic affection, and in Birck's play, the good judges speak more broadly for fair treatment of women. In Wickram's story the familial theme is even more central to the heroes' identity. Criminal attacks threaten the men in their activities outside the protected home, which they shield even from knowledge of the harsh public world.

Obviously, the law code was doing something very different from works of literature. After all, governments and societies have a real rational interest in suppressing crime, and the Carolina was an effective tool toward that end. What, then, do we learn from the perspective presented here, of its operation as a persuasive text? The modernization of criminal law proceeding during this era was not a matter of simply improving the legal machinery, or of participants simply selecting the most rational of their options. It demanded, as well, a realignment of allegiance toward a new cultural ideal. One can measure the success of this construct not only by tracing the Carolina's influence on legal practice, but also by examining cultural parallels that appeared in other textual genres. The construction of a rational discourse of crime was connected with a wider attempt to forge consensus by assuming and appealing to common values. Of course, the subject of crime was not the only area where this impulse was expressed. But crime and punishment provided fertile ground for the operation of rational lay heroism. Crime presents a threat, a demand for justice and action that calls forth the heroes' virtues. The rhetoric of reason offers a universal value that transcends lines of status and extends beyond the realm of experts, whether legal scholars, Latinate humanists, or theologians, to endorse the common sense of the upstanding commoner. The response of the intelligent heroes aligns them with properly constituted authorities who dispense a legitimated justice pleasing to both God and the rational man. Although supporting the increasing claims of state building in which government sought a monopoly on violence, this model construed power as essentially non-physical, based on allegiance to reason.

The relationship of this complex of ideas to the broader public discourse of crime narrative involves both contrasts and parallels. The prosperous audience for such works as these overlapped with consumers of the humbler products of the street press. Officials were to be found among the authors of broadsides and pamphlets; cheap works were accessible to and used by the educated as well as the illiterate. The greater emotionalism of street literature contrasts with the analytical focus of the rational hero, but not as a division of class. Instead, sensation and reason operated as alternate modes of seeking to construct a unified public response. They were even complementary: the shock and horror of criminal violence, experienced by both victims and the public, leads them to rely on the rational handling of the case by authorities (conventionally described as "the honorable and most wise"). Just as crime provided the spur to the heroes of rational action, it provided powerful material for the forging of common emotional reaction.

Crime into Text

3

THE SIXTEENTH CENTURY SAW HUGE EXPANSION IN THE NARRATION OF crime. While the law code laid out the ideal procedures for specific offenses, and some authors reflected on crime in fiction, there was an even greater surge in the recounting of real-life crime. Part of this surge stemmed from the same set of legal developments as the Carolina itself: rational modern procedure required written, verifiable records, especially for the review by legal experts so dear to the Carolina's framers. The growing caseload of early modern criminal justice filled prodigious amounts of paper. Legal documents, of course, had a limited circulation, but they were increasingly echoed and amplified by the growing market for printed accounts of crime. These works adopted some of the conventions of legal narrative—sometimes cribbing directly when they could—but they also fashioned a different and more emotionally charged discourse. With all their variations, these works developed strong family resemblances—with each other and, to some extent, with their descendants in more modern media. Their ways of shaping events into narrative shed light on the ways in which crime intersected with broader cultural patterns.

By the early sixteenth century, presses were publishing broadside and pamphlet accounts of crimes for a broad audience. These were commercial products, of course, and were subject to oversight or at times direct endorsement by the authorities.[1] Yet while making a profit or seeking to deter malefactors and awe the governed, these productions also invested crime with meaning. Authors put criminal violence to use, weaving it into their understanding of social and political relations and encouraging audiences to do the same. In the process, they developed early forms of sensationalism, in which language, images, and narrative techniques underscored the shock and horror of criminal acts. The emergence of conventional patterns, so often read as indicating mindlessness or triviality, in fact holds more significance. Repeated formulas provide clues to what was widely accepted and to the extent of the genre's influence on public expectations. Of course, not all crime publications fit into common patterns or emphasized horrors; some gave only the barest recital of facts or reproduced official reports. And official language itself could draw on emotional resonance; there was no sharp line between rational legal texts and emotional popular ones. But many printed accounts developed the emotive elements into a key rhetorical tool. These can appropriately be called "sensationalist," although the term itself is a later invention, as the rousing of emotional response was central to their aims. This was not a matter of mere titillation for commercial purposes, even though shock value likely did help sell copies. Rather, sensationalism worked to encourage identification with a unified body of right feeling. The emotional consensus against horrifying crimes could ease the acceptance of associated messages, from the need for political loyalty to the proper religious outlook.[2]

The transition into writing, and then into printed text and illustration, reshaped the raw materials of violent action and violent punishment. To examine this process of transformation, I offer here three cases in which multiple narrative sources are available. Especially revealing are those in which archival records survive to compare with public discourse. These case studies all date from the second half of the sixteenth century, when sensational crime accounts were becoming widespread. None of them, of course, can be seen as a typical crime. All were killings of multiple victims who shared a household. All aroused an unusual degree of public attention by the very fact of their appearance in print. Murders like these were always a tiny fraction of actual crimes, but they bulk large in the body of public accounts as they have come down to us. In print, such "unheard-of" multiple murders and household murders became almost routine. In my larger sample of some two hundred crime accounts printed between 1534 and 1700, more than half deal with multiple murders, and nearly half deal with murders within the family—obviously a focus on those considered most shocking.[3] So among cases that made their way into print, these three are not so unusual. What makes them noteworthy in this company is the survival of multiple retellings. Each offers archival records, various published versions, or both, allowing closer examination of their textual evolution.

The simplest of the three cases, both in the crime itself and in its narration, is that of Paul Endres, who killed an old gardener and his wife on the outskirts of Augsburg in 1585. The archival record contains differing versions of his confession, as well as letters sent by the Augsburg Council to neighboring authorities before his arrest. The published account is a cheaply printed song pamphlet. The second case, that of Paul Schumacher in 1565, offers similar archival records but a livelier public life, with at least two published accounts, one in song and one in prose. He murdered his godfather and the granddaughter who kept his house, both highly respected residents of Basel. Finally, returning to 1585, we have Blasi Endres of Wangen (no known relation to Paul Endres of Augsburg), a wealthy burgher who killed his wife and family. Although mere traces survive in the records of Biberach where he was arrested and executed, the case inspired substantial publishing activity, with at least five pamphlet and broadside accounts.

Looking first at the texts produced for legal purposes, we find already a reordering of reality. Narration of crime in legal records was shaped by the purposes and circumstances of legal process. The Carolina and other authoritative texts urged careful recordkeeping as part of an increasingly standardized procedure. The archives of many localities show meticulous documentation, though uneven practices remained, and it was the careful places that produced the most records for later historians. The narrative urge was fed not only by the need for reviewability by higher authorities, but also by the new standards of evidence required under Roman law. The confession, the "queen of proofs," could take legal effect only when solidified in written form.[4] Similarly, the testimony of witnesses had to be reduced to writing. Although authorities often strove for strict accuracy in the recording of oral statements, the production of written documents still introduced narrative elements.

The need to establish proof of guilt entailed intensive interrogation and extensive work for clerks. Officials drew up detailed interrogatories specifying the questions to be asked at each session, before, during, and after torture. Clerks prepared lists of responses based on the statements of the accused. Unlike a transcript, this document did not repeat every word spoken; rather, it digested them into an ordered synopsis. It reflected the speech of the accused, but indirectly. When Paul Endres was questioned for the third time about his double murder in Augsburg in 1585, he insisted he had told all he knew in his earlier confession under torture, and "he knew and could truthfully say nothing other than this, let them torture and torment him as they would." And again, "Thus the truth of the matter is as above and in his last statement, and if it had happened otherwise, he would gladly say so, for he would rather die than be tortured long about it, and he takes God for witness that he has told the truth."[5] These words illustrate both the authenticity and the indirection of the legal document. They likely reflect Endres's actual attempts to convince his interrogators that further torture was useless, but the third-person narration changes his language even if it accurately states what he said. The style bespeaks an educated writer conversant with sophisticated grammatical structure. The smoothly connected narration likely contrasts sharply with the more disjointed expressions of the actual interrogation scene, even though on this particular day no torture was applied. One doubts, too, that Endres would have used expressions like "torture and torment"—a redundancy typical of legal writing, which also regularly referred to people who "murder and kill" or "steal and purloin." These documents may convey the gist of what was said, but compress the raw material into a text that employs the court's organizational scheme and the clerk's own language. Their relation to self-expression of the accused is oblique at best.[6]

The departure from what was literally said is inevitably still greater for texts that record the confessions elicited during actual torture. In Paul Endres's case, the report of his confession under torture three days earlier already presents a sustained and organized narrative. It opens with his explanation of why he had concealed the truth before, then describes his relationship of years' standing with the victims before the crime. It moves logically and chronologically through his first premeditation and motives, into a detailed description of his preparation and execution of the murders, then his attempts to hide the crime and dispose of the goods he stole from the victims. The report is an impressive achievement, a model of skilled and rational procedure that transforms the messiness of torture into a distillation of truth. Obviously, it is a constructed narrative, though based on Endres's words. The record carefully attests that he later confirmed the confession was true, as required by law.

The ultimate products of the written legal record were a lawful verdict and a definitive text: the *Urgicht* (statement) was the final version of the third-person confession, to be read out at the public culmination of the case. Most of the trial took place behind closed doors: not only the interrogations but also the examination of witnesses and weighing of evidence. Increasingly, the verdict and sentence were also decided in closed sessions.[7] The trial was not complete, however, without a final, public day of judgment—a ritual occasion in which the convergence of truth and justice were displayed. With a public who might be summoned by the ringing of bells, officials of the court appeared in full array to confront and pass open judgment on the defendant. The Carolina laid out forms for this drama, including the breaking of a staff to mark the death sentence and express its finality. Although practices varied from place to place, there was always formal pronouncement of sentence and typically reading of the *Urgicht* as well.

Perhaps because of their quasi-public character, *Urgichten* sometimes went beyond the rational establishment of the facts to include emotive characterizations of the crime. Such expressions were not part of the text's primary function of providing the documentation for a legal verdict. Although to lay thinking a "horrifying" or "dreadful" murder might deserve especially harsh punishment, such terms had no precise legal meaning. For example, the Carolina carefully listed circumstances that aggravated willful murder and justified extra punishment. All had to do with the identity of the victims: if they were high personages, or the killer's own master, or if the murder took place between spouses or close relatives, the court could add hot pincers and dragging through the streets as means of greater deterrence.[8] Although these sorts of murders likely appalled people more than others, this reaction was not the key legal factor. The core of the confession was a dry recital of the facts. In some cases, however, the *Urgicht* could do more. In 1565, Paul Schumacher killed both his godfather and the man's granddaughter, prompting the following statement in his recorded confession: "The girl, in the same way as the old man, he murdered, struck to death, and so pitifully killed, and thereby caused and committed a double, dreadful and unheard-of, horrifying murder."[9] Schumacher's crime perhaps could be construed into the Carolina's categories of aggravation, since the first victim was his godfather. Still, the expression of horror serves not a legal purpose but a rhetorical one: expressing an emotional judgment and implicitly justifying to its audience the severe punishment to be imposed.

The *Urgicht* was linked to final judgment and punishment, a "publication" of the crime accompanied by official violence as retribution. Obviously, in contrast to texts idealizing the rational hero, executions did not downplay the role of force in the maintenance of order; physical power over the body of the condemned was central. The public audience was an essential component of the execution ritual, there to witness the correct administration of justice, as well as to see the fatal consequences of defying the law. The public was also there to be appalled. Officials knew that the gruesome punishments imposed on the worst offenders would rouse feeling. The German terms commonly used for deterrent—*ab-*

scheulich and *abschreckend*—have none of the blandness of the English but refer to abhorrence and fear. A view of early modern people as hardened or insensitive to the tearing and breaking of the body at execution misses part of the point. These were ghastly scenes, and purposefully so. The object was to increase people's horror of crime through the horror of punishment. It was also appropriate to feel pity for the suffering malefactor (if repentant) and for the victims.

The transition into print reconstructed the experience of witnessing the execution. Although some reports were printed before the actual execution, most contained full details of the pains inflicted, with special care to note any extra sanctions applied for the worst offenders, such as tearing of the flesh with red-hot tongs or public display of the mutilated corpse. Such publications could be encouraged by authorities for their reinforcement of deterrence and their flattering depiction of governments as successful crime fighters. The shift into representation changed the experience in significant ways, however. First, it gave the crime itself much greater prominence. Despite the reading of the *Urgicht,* most people normally had to make do with rumor about the crime itself at the scene of execution. Even the most avid of reporters, Heinrich Wirri, complained that he could not get near enough to hear the reading and had to get the full story from the Burgermeister later.[10] Greater attention to crime scenes opened the way to a broader range of perspectives. Audiences could be encouraged to sympathize with the victims and imagine their distress in the face of impending death; to re-create the feelings of the community, horrified at grisly discoveries, bereaved by the death of innocents.

Such added dimensions were pure gain for those whose goal was to strengthen appreciation for government, that insurer of the public peace and avenger of wrongs. But expanded representation also introduced greater complexity. Although no longer the sole focal point, the criminal could become a more fully realized figure, actor as well as sufferer. Further, the greater elaboration of crime settings opened wider space for the expression of cultural assumptions—about domestic order, for example—and for the integration of these into conceptions of crime and its dangers. The emotive elements of crime and punishment, stoked by techniques of communication to compensate for the distance from actual events, eased reception of the expanded range of associated meanings.

Very few crime accounts survive from before the 1550s, partly because the existing body of sources owes so much to Johann Wick, who began collecting in the 1560s. In the early sixteenth century, printers had not yet developed standardized formats. Headings could be quite matter-of-fact, as in a broadside from 1534: "In the year 34, on the Friday after Judica Sunday [the fifth Sunday in Lent], Hans Reichart, glazier from Dietfurt and burgher here in Regensburg, confessed the following under torture and later also voluntarily."[11] However, the emotive response to violent crime was also emphasized very early, in Kunz Haß's "True History of a Baker's Apprentice Who Gruesomely Murdered Five Innocent People," printed in 1515.[12] A title from 1519 that gave little hint of the actual content (execution of a multiple murderer) still offered emotion: "Buy and Read Me, for I Warn You of My Piteous Suffering."[13] After 1550, forms became increasingly standardized, with the contents advertised in striking terms. Titles defined their narratives according to emotive features: *erschrecklich* (frightful), *erbermlich* (pitiful), *unerhört* (unheard-of), *grausam* (dreadful), *jämmerlich* (lamentable), *grewlich* (horrible), *trawrig* (grievous), *kläglich* (pitiable). The narration also developed conventions that intensified the visceral impact of already shocking material.[14]

The legal process offered grist for sensationalism, not only by providing facts, but also by framing criminal activity in ways that could foster emotional response. The official *Urgicht* often formed the basis for sensational accounts. In the cases of Paul Endres and Paul Schumacher, the printed accounts rely heavily on the official confession. Of course, authors of crime reports did not need official precedent for their emotive flights, and in the case of Blasi Endres, some were clearly ready to publish with little concern for legal records or facts. While one can find some sensational elements in the archives, the transition to print shifted the focal point of the story to the emotional reaction of the audience. This was true even of accounts that held closely to the facts as officially recorded.

The case of Paul Endres, killer of the elderly couple near Augsburg in 1585, offers a fairly straightforward relationship between archival record and printed narrative. The pamphlet account adds very little to the basic facts. It even obscures them somewhat by referring to the killer as Paulus Maurer. In fact, he was an out-of-work day laborer who had been in trouble the year before for drunkenness and misconduct. Techniques for promoting the crime as sensational material to a wider audience begin with the title: "Frightful History, which Occurred in a Garden near the Famous City of Augsburg, of a Criminal Named Paul Maurer Who Murdered Two Old People, Veit Selig and His Wife, and Threw Them

Both into a Privy. Later the Culprit Was Arrested in Stuttgart and Taken to Augsburg, and Executed in July."[15] Although adjectives such as *erschreckliche* can be found in archival sources, their regular appearance in the titles of print transforms their function and place. Here they become the defining feature, that which marks the story as worthy of attention. Rather than mere intensifiers of disapproval, the "horrible" and "frightful" become constitutive of the narrative's meaning.

The rest of the seemingly humdrum title offers further techniques of appeal. The reference to Augsburg's fame might flatter potential buyers in Augsburg, but for those at a distance, the well-known city name adds an air of authenticity. Although the pamphlet gives no place of publication, it certainly circulated outside Augsburg, finding its way into the collection of Johann Jacob Wick in Zurich. The title further details features of the crime that made it especially terrible: a murder of two old people, a married couple. The disposal of their bodies in the privy may have been merely a practical move, but the mention of this degrading space in the title underlines the murderer's contempt for decency. His arrest in Stuttgart was a coup for the Augsburg authorities, who had to pursue their man by getting cooperation from the Duke of Württemberg. The title thus shows the crime not only as especially horrible but also as an example of successful pursuit and punishment.

Another typical technique was the casting of the story into singable rhyme. Nearly half of the crime accounts in my sample use song, as did news accounts on other topics.[16] Song made the story easier to remember and to convey to a wide and not necessarily literate audience, even as it encouraged direct participation and offered opportunities for exclamation: "He killed the two then gruesomely / O God, the suffering!"[17] The facts of the case appear as given in the archival record, but in contrast to the law's inevitable focus on the killer, the song focuses its attention on the victims. After bemoaning the *"jemerlich"* (piteous) and *"erschröckliche"* (frightful) deed, the song turns to the old couple, caretakers of a garden just outside the gates. On Easter Monday, "the two honest old people" welcomed an acquaintance from the city. The text emphasizes their open innocence as they invited him to sit "out of heartfelt gladness." Again, the text goes beyond the bare facts of the legal record to emphasize the killer's treacherous betrayal of hospitality and sociability, as he "acted happy and lively."[18]

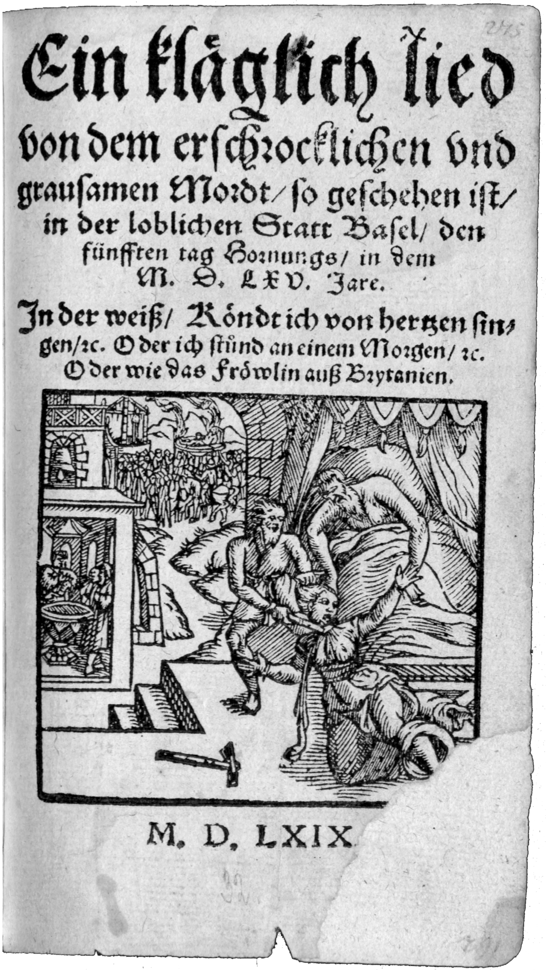
While factually consistent with the legal record, the song persistently aims to engage the audience in sympathetic emotional experience. The legal text recounts the evidence of betrayal baldly, stating that Paul Endres had stayed overnight with the old couple before the murder "and paid nothing for food and drink." It does not editorialize on his ingratitude. The archival papers do contain graphic description of the violence, and even the occasional emotive adjective, as in the narrative of the wife's murder. When struck from behind with an ax handle, she screamed "most piteously" and tried to fight back. It took some ten blows to beat her down. The song gives a more condensed account but encourages a shift to the victim's point of view: "She long herself defended / good woman in her need / Before her life he ended / she many blows received."[19] The song invokes the experience of the people of Augsburg as well: when the bodies were found disposed of in the privy, "it horrified women and men." The song promotes imagination and identification, both with the victims and with the shocked community. Only then does it move to the murderer's deserved punishment. This work was a humble representative of sensationalism—badly printed, plodding and formulaic, almost routine in its sentiments, and with a second murder awkwardly tacked on because another killer was executed the same day. Even such a lackluster specimen shows the common attempt to carry the audience into vicarious emotional experience. More accomplished authors of crime accounts developed more sophisticated techniques.

The case of Paul Schumacher, convicted for a double murder in Basel in 1565, generated at least two different pamphlet accounts, one in prose and one in song. These were polished and literate writings by authors who signed their names—well above the general run of crime productions. Though atypical in this sense, they demonstrate common features of crime reportage, particularly the heightening of emotive elements and the shift of perspective toward the victim and community. Johannes Füglin, a Protestant minister and teacher, published the relatively restrained *Description of a Horrifying Murder That Occurred in the Worthy and Renowned City of Basel, in the Year of our Lord 1565.*[20] The more imaginative young burgher Wolfgang Meyer turned to song form for his work, *A Mournful Song of the Shocking and Horrifying Murder That Occurred in the Worthy City of Basel.* The song's success is attested by its survival in three editions: one printed in Basel in 1569 and two from Augsburg and Dresden in 1566.[21] Both accounts were accurate in essentials and appear to have been based on the official record, but they shaped the story for different ends.

The facts are fairly clear, attested by both the recorded confession and the circumstantial evidence of stolen goods from the scene of the crime, which the culprit later attempted to sell. Schumacher, a young linen weaver in the village of Berentzwiller (now in Alsace), found himself unable to pay his debts. He had a prosperous godfather in Basel, a widowed bookbinder named Andreas Hager, whose house was kept by his granddaughter, Sara Falkeisen. On Saturday, 3 February 1565, Schumacher visited Hager, ate with him, and stayed overnight. The next day, he left and stayed at an inn but returned Monday morning. Hager was ill in bed, and Schumacher sat with him until Sara Falkeisen left the room. Then he seized a hammer from the wall, struck the old man in the head, and used a knife to finish him off. When the young woman returned, he did the same to her. Then he robbed the house and set a fire. The fire did not succeed in destroying the evidence of murder, however, and the authorities traced Schumacher through the stolen goods. He was arrested and tortured, confessed, and was executed on 21 February.

These basic facts are common to all the versions of Schumacher's story. His legally recorded confession, as in the case of Paul Endres, orders the facts systematically, from motive to premeditation, deed, flight, and retribution, much as I have recounted them here. This coherent narration shows little trace of the repeated sessions of interrogation and torture that extracted its elements, sometimes in confused or ambiguous form. Schumacher initially attributed part of the guilt to an accomplice, one Lienhart of Blozen. In the end, he dropped this story and admitted to acting alone. His final statement was given "without any torture"—that is, confirmed after the torture had ended. Though constructed on rational principles, different versions of the *Urgicht* also show how emotive descriptors made their way into legalese. The first states that Schumacher and Lienhart together "this old man, lying in the bed, thus piteously murdered and killed."[22] After the change of story, the clerk used identical language: now Schumacher alone "this old man, lying in the bed, thus piteously murdered and killed." The marker of woe expresses a formulaic outrage that becomes attached to the crime in routine repetition. As we have seen, the addition of the second murder inspired a crescendo of emotive condemnation of the "double, dreadful and unheard-of, horrifying murder."

Both pamphlet accounts of the case offered woodcut illustrations on the title page reflecting key elements of the story. Both portray the murder scene, with the execution scene in the background. The old man lies in his bed, the hammer that killed him lying on the floor, with the villain Schumacher in the act of cutting Sara Falkeisen's throat with a large knife. The picture on Füglin's pamphlet is the more carefully drawn of the two, and here a background section also depicts the flames of the fire Schumacher set to hide his crime. In both pictures, the young female victim kneels on the floor, her arms raised and mouth open in token of distress, as the killer grabs her hair and wields the knife. In the image on the 1569 edition of Meyer's song (see figure 3), this action takes place



Ein kläglich lied
von dem erſchrocklichen vnd
grauſamen Mordt/ ſo geſchehen iſt/
in der loblichen Statt Baſel/ den
fünfften tag Hornungs/ in dem
M. D. LXV. Jare.
In der weiß/ Kóndt ich von hertzen ſingen/
ꝛc. Oder ich ſtůnd an einem Morgen/ ꝛc.
Oder wie das Frówlin auß Brytanien.

M. D. LXIX

Figure 3. Paul Schumacher's murder of Andreas Hager and Sara Falkeisen. (Wolfgang Meyer, *Ein kläglich lied von dem erschrocklichen vnd grausamen Mordt / so geschehen ist / in der loblichen Statt Basel* [Basel, 1569], courtesy of Universitätsbibliothek Tübingen)

prominently in the foreground, with a stream of blood gushing to the floor from her throat. This picture also adds a church in the background, with a baptismal scene to evoke the familial betrayal involved in Schumacher's killing of his own godfather.[23] Even before proceeding to words, the images focus attention on the victims and the moment of violence, while providing details specific to the crime.

For Füglin, the murders presented an occasion for religious instruction and the promotion of moral improvement. Füglin's account is more straightforward than Meyer's song version, but still shapes the story's meaning by selection and emphasis. Füglin was a learned author, at home with complex sentence structures and sprinklings of Latin. As a pastor, however, he also knew how to address a broad audience with everyday proverbial phrases. Schumacher was "a small unremarkable person, who looked as if he hardly would dare to touch a dead sheep (as they say), let alone fall upon and murder two living people."[24] Füglin's account essentially follows the official version but adds distinctive appeals for emotive response. His description of Hager's murder emphasizes Schumacher's unrelenting blows, "until at last the dear man and innocent martyr commended his soul to God, whom throughout his life he had truly and diligently sought, and thus blessedly ended his pilgrimage."[25] The telling detail could also invite readers to more intense imagination and sympathy with those who discovered the crime. When the bodies were discovered, according to Füglin, the neighbors wrapped them in shrouds, thinking they had died from the fire. The wounds were revealed only when blood began to seep through the linen.[26] The account invites readers to share in the horror of this discovery, so shocking to those on the scene. Both the story itself and the mode of retelling urge readers to imagine it fully and respond with feeling.

Füglin's call for emotional engagement was linked to his goal of moral reform, the impetus for his storytelling. This aim leads him away from the archival record, with its focus on directly pertinent facts, to Schumacher's prior life. The explanation for Schumacher's fall was not simply greed, but a larger pattern of moral decay that ultimately led him to the Devil. Little hint of such a pattern appears in the official confession: the killer plotted the crime to get money to pay a debt, and he stayed at an inn the day and night before. The records make no mention of alcohol, gambling, or general dissipation. For Füglin, however, the murder was the fruit of a godless life. Starting with idleness and neglect of churchgoing, the future killer moved on to ever-increasing levels of vice: "For such [a godless life] begins with idleness, then to feasting, drinking, gaming, and other worthless indulgences which flow from idleness."[27] Living in such a state, he was ripe for temptation and readily followed the suggestions of the Devil. Satan is the cause of murder, but he also works more subtly through a series of sins that slide imperceptibly from the seemingly minor to the most atrocious.

For Füglin, the ultimate meaning of his story is a moral and religious one, with lessons both personal and political. Though a story of horrendous individual sin, it is also far more: Füglin sees Schumacher's crime as part of a larger pattern of increasing violence, especially marked by the spilling of blood between relatives. God permits such events as a punishment for general high levels of sin and as a warning of greater punishment yet to come unless all are vigilant against the Devil. People should take this to heart in their personal lives, but it holds a special message for governing authorities. While appreciating their effective action against Schumacher, Füglin insists they should do more: not just punish crime but attack the seemingly minor vices of drink and idleness that lead to it. He hoped "that the governors of our most beloved fatherland and also of other states, both clerical and lay, may be undaunted, indeed zealous and vigilant, in eliminating the sins, disgraces, and vices from which such horrors arise."[28] Basel's authorities had introduced a new code of moral discipline in 1529, as many other Protestant governments did, but for Füglin this did not go far enough. The retelling of the crime thus served religious and political goals, through the medium of a rhetoric that demanded imaginative and emotive participation.

Wolfgang Meyer's pamphlet on the same murders moves away from the realm of exposition and argument into song. As noted earlier, its multiple editions suggest a still more successful appeal to public taste. The song form greatly expanded the evocative potential of the text by adding both tonal memory and direct participation to its techniques for engaging the audience. Meyer took full advantage of this potential. Set to the tunes of popular tragic love songs, his version laments the tragedy in highly pathetic terms.[29] Even more than Füglin's piece, it demands vicarious emotional experience.

The most striking aspect of his treatment of the crime is his use of direct speech to dramatize the experience of the victim Sara Falkeisen and her grief-stricken family. Here he departs substantially from the archival record, which inevitably keeps its focus firmly on the perpetrator. In fact, although he recounts the events that were officially recorded, he also invents freely in re-creating the thoughts and words of those involved. He signals his imaginative reconstruction as he describes Sara's reaction on finding the killer with her grandfather's body: "She was greatly terrified, as can well be imagined." Although the official record indicates no action on her part, Meyer depicts her attempting to flee and raising a cry of murder when attacked. He then devotes three full stanzas to her voice, including her inner thoughts:

> "O God, now must I die?"
> Then thought the pious maid;
> "Is there no one on earth
> Who will come to my aid?
> Then I Lord Jesus' mercy pray,
> Who for us lowly sinners
> On the cross his life did lay."[30]

She addresses Schumacher as well, to ask why he would kill them and to warn of God's vengeance. Her last words, full of inward tears, go to her father and sister. Only then does the murderer silence her by cutting her throat.

Direct speech is not always a literary invention, of course. It sometimes appeared in legal documentation, especially when the words spoken were seen as evidence about the crime. It does not appear in Schumacher's confession. There was no witness to a cry of murder from Sara Falkeisen, any more than there were witnesses to her lamenting thoughts. If there had been, Schumacher could hardly have set a fire to hide his crime. In any case, direct speech in printed public discourse serves a far different function from its counterpart in official records. Like circumstantial detail of the crime itself or the wounds inflicted, speech in legal records could serve the purely instrumental purpose of establishing the facts of the case. As part of a public account, however, even the same details or the same speech become something quite different: an invitation to vicarious experience and emotive participation.

Meyer attributes speeches to Falkeisen's bereaved family as well, calling on the audience to imagine and empathize with their grief. His move away from the archival focus on the criminal is clear not only from these dramatizations but also from the structuring of his story. We have already observed the standard logical and chronological organization of the *Urgicht*. Füglin departed from this norm to emphasize the moral failings that preceded even the formation of a motive. Meyer reshapes the story again, breaking the chronological sequence to focus on the experience of the victims and the community.

He begins with the venerable Andres Hager, stressing his reputation for piety and charity. He had stood godfather to Schumacher, a relationship mentioned in the official record but here developed at length. The baptism and naming of the infant Paul open a story of benevolence met with betrayal. According to Meyer, Hager went beyond sponsorship in name to become a de facto father: he raised the child from the cradle in his own house, sent him to school, and arranged for his craft training as a weaver. In all this, "He treated him like his own son." With this background, the scene shifts to the shocking discovery of the murders. Meyer adopts the perspective of the peaceful people of Basel; as in the innocent scene of baptism, they never imagined how evil would invade the everyday. They saw smoke from the burning house and broke in, hoping to save the inhabitants. After putting out the fire, they discovered the bodies, still without suspecting foul play. Only later did they notice the wounds and realize that a terrible crime had been committed:

> At heart they did lament,
> These worthy people good,
> That such a sad event
> Thus in broad daylight could
> Occur in such a peaceful time.[31]

Even more wrenching is the reaction of Sara's father, Rudolf Falkeisen, on learning of his daughter's death:

> "O God, what shall I do?
> O Jesus Christ, what agony
> My daughter here has suffered
> In death so cruelly!"[32]

Meyer recounts similar expressions of grief by Sara's sister, who fainted when she heard about the young woman's fate. The whole community was appalled, not only at the death of these innocents, but at the fact that an unknown murderer was at large.

In this moment of common horror, the able authorities of Basel stepped in to serve the cause of right. Meyer recounts how they sent messengers to neighboring territories and spared no expense, until at last they were able to trace Schumacher through the disposal of silver goblets he had stolen from the Hager household. The city's financial records show the expenses of this manhunt reaching outside Basel's own jurisdiction.[33] The capture of Schumacher was a triumphant success story, since it was difficult for early modern authorities to track criminals outside their own territories.[34] Meyer's song then becomes a paean to Basel's government. In fact, he dedicates the work to the Basel authorities and professes readiness to serve them. Praising them as the source of peace, security, and the common good, he underlines the respect and loyalty they deserve, with blessings from God and prayers from the grateful people. This is a simple political message, but one built on a careful literary development of emotive response to the crime.

These comparisons with archival documents highlight many of the narrative patterns that became typical in early crime reporting. Most striking is the intensification of emotional content by various means, including emotive descriptors, direct speech, structure, point of view, and images. From one perspective, this emotionalism may seem unsurprising. These were, after all, violent crimes, and even within that category, it was precisely those considered most shocking that were selected for publicity. Without question, crimes such as these evoke emotional reactions even without sensationalism, just as violent punishments did. Authors of crime reports may genuinely have felt the emotions they describe. Even the clerks recording legal documents could well have felt revulsion and horror like that expressed in the "confession" of Paul Schumacher. Nevertheless, emotion, however genuine, functions differently when embodied in texts. In official documents, emotive language becomes not a personal sentiment but an expression of governmental power to define values and impose sanctions. Likewise, the emotive quality of printed publications becomes a rhetorical tool. By enlisting a common horror and pity in response to the worst of crimes, these texts work to forge a temporary unity of view that could ease the acceptance of associated messages. Meyer's political loyalty or Füglin's zeal for moral reform could thus appear as the natural conclusion of all right-minded folk who shared abhorrence of the killings. Most crime authors did not have such obvious agendas, but the rhetorical stance of sensational crime reporting still gave their work the potential to shape common views that went beyond the crimes themselves.

Yet another case, though scantily documented in the archival record, illustrates the range of textual uses that could flow from a single event. In 1585, the wealthy burgher Blasi Endres of Wangen killed his family, including his wife, children, and servants, a total of seven murders (or eight, according to a source that counted the fetus of his pregnant wife). The crime inspired at least five different printed accounts, undoubtedly because of his prominence as well as the nature of the crime itself. He was not only a prosperous innkeeper but a pillar of local society, a judge and official—exactly the kind of person who should have been upholding the rational model of the Carolina. We met Blasi Endres earlier, in chapter 1, in connection with the money troubles that reportedly led to his rampage. Here it is the five different versions of his story that concern us. Their differences show authors' imaginative reconstructions and enhancements of emotional impact, as well as their injection of gendered cultural assumptions.

The legal version of Blasi Endres's story is lost to us, apart from two short entries in the records of the Council of Biberach, where he was tried and executed. The various printed accounts agree on such basics as who was killed, but they diverge sharply in their framing of the story. Although the legal records allow no detailed reconstruction of the crime, some of the sources are clearly closer to the facts than others. Of the published versions, two are pamphlets in letter form; two are broadsides decorated with colored woodcuts and text; the fifth is a song pamphlet. The Augsburg broadside presents a text that follows the form of an official confession and judgment and is likely the closest to the events as legally recorded.[35] The first prose pamphlet, printed in Lauingen, was published while Endres was still in prison and is the only printed account to mention the wife's pregnancy.[36] The other letter pamphlet announces itself as written from the scene of the crime in Wangen itself.[37] This account may stake some claim to authenticity as well. Although it disagrees with the broadside on the order of the killings, it claims to reproduce a final message in both German and Latin left by the perpetrator in his house. The second broadside, from Lindau, and the song pamphlet from Ulm offer more fanciful details.[38] In contrast to the Basel publications on the Schumacher killings, none of these works was printed in the locale of the crime itself. Distance and indirection likely expanded the scope for error and imagination.

Not surprisingly, all the titles emphasize the horrifying nature of the murders: "A Frightful, Unheard-of New Report of a Gruesome Murderer," "Copy of the Shocking History of Blasi Endres," "A Horrifying and Lamentable History," "True and Terrible News," "A True Terrible History." Such emotive descriptors could express genuine horror felt by many on learning of this bloody destruction of an entire household. Yet, as in the use of emotive descriptors in official documents, the translation into text makes emotional expression a rhetorical agent. These terms not only advertise the textual wares for sale; they also cue the audience to an expected emotional response.

The works differ substantially in style and tone, however. The Augsburg broadside uses quasi-official language, stating how the here present Blasi Endres, "burgher and innkeeper of the Black Eagle in the imperial city of Wangen, violated in the first place the law of God, natural, human and innate paternal and marital love and faithfulness, in addition to the highest proscriptions of the constitution and ordinances of the imperial criminal laws."[39] This is probably an imitation of the publicly read confession rather than a rendering of the real thing; the entry in the Biberach Council minutes, although very short, describes Endres's wife as pregnant, a detail missing here. In any case, the linkage of natural familial feeling with the laws of God and the emperor is explicit. So is the emphasis on horror in describing both the crime itself and the execution. The text states that Endres confessed without torture "that he knowingly and openly committed the following horrible, lamentable, frightful and indeed unheard-of murders against his own flesh and blood, his wife, three of his own children, a servant, and two maids, intentionally and maliciously, at the instigation and suggestion of the accursed Devil."[40] Although printed at a distance in Augsburg, the piece sought to re-create for its audience the experience of the execution day itself. It recounts the elaborate punishment inflicted, including seven different tearings with red-hot pincers, the cutting off of Endres's right hand, breaking on the wheel, then impalement and display of his body on the wheel: "As his well-deserved punishment, and for many as a frightening, awful example and model; afterward his poor soul shall be commended to the good Lord."[41]

Though depicting the execution scene, the broadside shows the shift toward the crime that came with printed communication. The broadside, after all, was essentially a poster, the written text often ancillary to the more prominent pictures. The Augsburg broadside on Endres shows the murders at the left, the execution at the right. In the crime scenes, the father leans over a cradle about to strike, while a nearby child raises its hands pleadingly. Other bodies appear in bedrooms in the background. The execution, though dutifully depicted, took up less space and could hardly compete in drama (see figure 4). The second Endres broadside, printed at Lindau, dispensed with the image of execution but

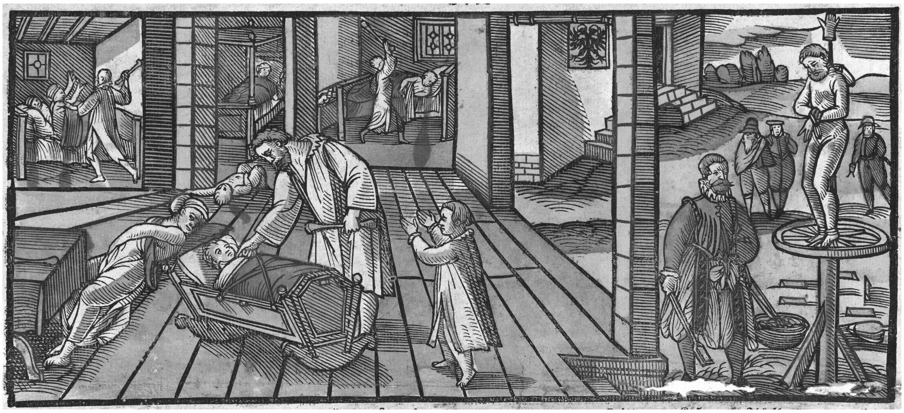
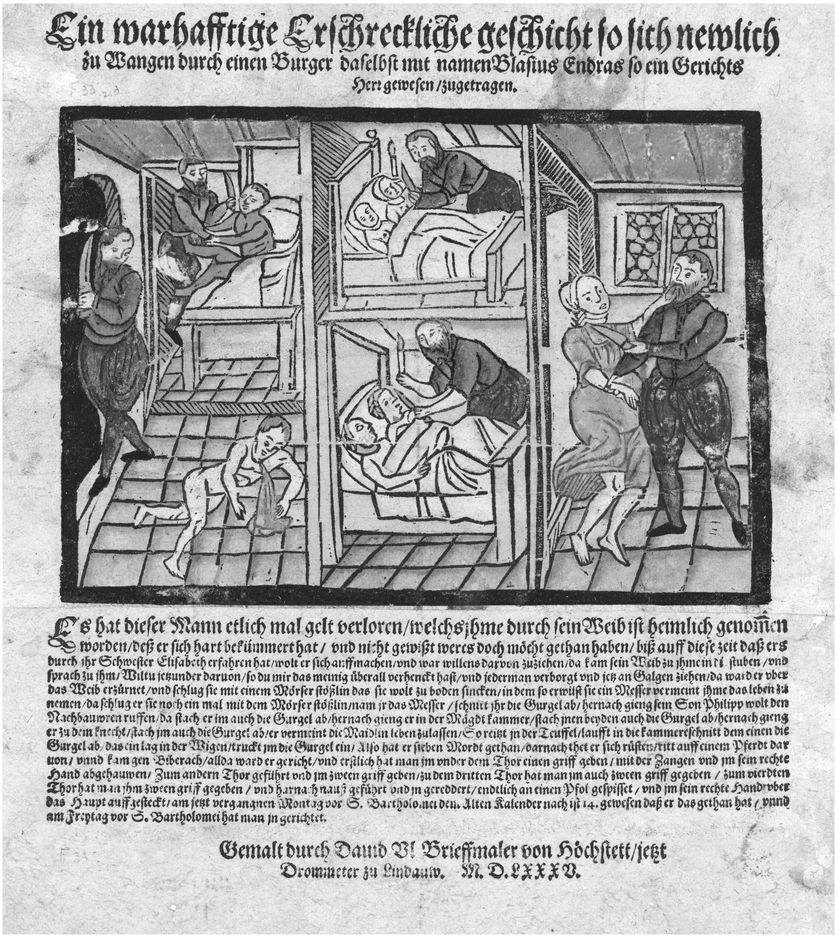


Figure 4. Blasi Endres kills his family. (*Ein Erschröckliche vnerhörte Newe Zeyttung / von einem grausamen Mörder / der an seinem aygen fleysch vnd blut / vnd gantzem Haußgesindt verzweyflet ist / mit namen Blasi Endres* [Augsburg, 1585], courtesy of Graphische Sammlung und Fotoarchiv, Zentralbibliothek Zürich)

offered a crude colored woodcut of the killings. The picture dwarfs the brief accompanying text (see figure 5).

The added prominence of the crime itself was good for the authorities' goal of legitimating punishment: the horror roused by the violence would implicitly endorse retribution. The same was true of pity for the helpless victims, which was often carefully cultivated, as in this instance. The Augsburg broadside describes how after Endres had killed his wife, his son Philip came crying to ask what he had done to his mother. Endres killed him, then the six-year-old Catharina and the two-year-old Jacob in his crib. Thus he had all of them "so piteously and most lamentably wounded and left lying there dead. May almighty God graciously have pity on the innocently shed blood."[42] What the print experience lost in immediacy compared with the execution spectacle, it gained in breadth of potential messages and response. The relatively greater attention to the acts of murder could bolster fear, not just of the punishing authorities, but also of the possibility of less controlled violence. The disturbing scene of mayhem where it least belonged—in the settled and normally well-ordered world of the burgher household—underlined the power of the Devil and the vulnerability of all.

While the broadsides provide illustration with explanatory text, the two letter-style pamphlets offer the report of informed writer to literate recipient, reproduced for the wider print audience. The version from



Ein warhafftige Erſchreckliche geſchicht ſo ſich newlich
zu Wangen durch einen Burger daſelbſt mit namen Blaſius Endras ſo ein Gerichts
Herr geweſen /zugetragen.

Es hat dieſer Mann etlich mal gelt verloren/welchs jhme durch ſein Weib iſt heimlich genommen worden/deß er ſich hart bekümmert hat / vnd nicht gewißt weres doch möcht gethan haben/ biß auff dieſe zeit daß ers durch jhr Schweſter Eliſabeth erfahren hat/wolt er ſich auffmachen/vnd war willens darvon zuzichen/da kam ſein Weib zu jhme in di ſtuben /vnd ſprach zu jhm/ Wiltu jetzunder daruon/ſo du mir das meinig überall verhenckt haſt/vnd jederman verborgt vnd jetz an Galgen ziehen/da ward er vber das Weib erzürnet/vnd ſchlug ſie mit einem Mörſer ſtößlin das ſie wolt zu boden ſincken/in dem ſo erwüſt ſie ein Meſſer vermeint jhme das leben zu nemen/da ſchlug er ſie noch ein mal mit dem Mörſer ſtößlin/nam jr das Meſſer /ſchnitt jhr die Gurgel ab/ hernach gieng ſein Son Philipp wolt den Nachbauwren ruffen/da ſtach er im auch die Gurgel ab/hernach gieng er in der Mägdt kammer/ſtach jnen beyden auch die Gurgel ab/hernach gieng er zu dem knecht/ſtach jm auch die Gurgel ab/er vermeint die Maidlin leben zulaſſen/So reitzt jn der Teuffel/laufft in die kammer ſchnitt dem einen die Gurgel ab/das ein lag in der Wigen/truckt jm die Gurgel ein/ Alſo hat er ſieben Mordt gethan/darnach thet er ſich rüſten/ritt auff einem Pferdt daruon/ vnnd kam gen Biberach/allda ward er gericht/vnd erſtlich hat man jm vnder dem Thor einen griff geben / mit der Zangen vnd jm ſein rechte Hand abgehauwen/ Zum andern Thor geführt vnd jm zween griff geben/zu dem dritten Thor hat man jm auch zween griff gegeben / zum vierdten Thor hat man jhm zween griff gegeben / vnd harnach nauß geführt vnd jn gereddert/endtlich an einen Pfol geſpiſſet / vnd jm ſein rechte Hand vber das Haupt auff zeſteckt/am jetzt vergangnen Montag vor S. Bartholomei den Alten Kalender nach iſt 14. geweſen daß er das gethan hat / vnnd am Freytag vor S. Bartholomei hat man jn gerichtet.

Gemalt durch Dauid Vl Brieffmaler von Höchſtett/jetzt
Drommeter zu Lindauw. M. D. LXXXV.

Figure 5. Another version of the Blasi Endres killings. (*Ein warhafftige Erschreckliche geschicht so sich newlich zu Wangen durch einen Burger daselbst mit namen Blasius Endras so ein Gerichts Herr gewesen / zugetragen* [Lindau, 1585], courtesy of Graphische Sammlung und Fotoarchiv, Zentralbibliothek Zürich)

Wangen is addressed from one *fürnemme Person* (distinguished person) to another, complete with salutation to the *Günstiger Herr* (gracious lord) who originally received it. As against the more visual appeal of broadsides and the oral culture of the song, these texts were designed for reading and tended to more measured and complex depictions. The quasi-official Augsburg broadside gives no attention to motive, but the other accounts all attempt to explain how the tragedy came about, focusing on the initial marital conflict that launched Endres's rampage.

All agree that the couple quarreled and that he struck his wife with a pestle, then cut her throat. Beyond this they diverge sharply, illustrating the ways in which authors' preconceptions about gender relations colored their accounts. Even without explicit advocacy, crime accounts could embed implicit arguments in their presentation.

The two prose pamphlets, which in other respects appear fairly close to the facts, present a mainly sympathetic image of the wife. In the Wangen account, the husband, troubled with debts, quarreled with the "honest wife" who offered advice on what he ought to have done. In the other pamphlet, written while Endres was still in prison, money troubles similarly made the husband angry, but he first took it out on the servants. It was when his wife reproved him for this behavior that he flew into a rage and struck her with the pestle. The author does suggest imperfect behavior by the wife; when Endres abused the servants, "then his pregnant wife started in on why he was quarreling with the servants every night, forbade this and rebuked him. The man became greatly enraged at this, and since anger does not do the right thing," he hit her with the pestle.[43] The wife's reprimanding of the paterfamilias was certainly a breach of household protocol, though the husband had misbehaved first. The first blow is criticized in remarkably tame terms as doing something "not right" in the heat of anger. The Devil then seized the opportunity to inspire the second, deadlier blow.

Here marital discord played a central role, with the murderer as the main violator of norms. The song pamphlet and the Lindau broadside, however, transformed the wife into a shrew reminiscent of the stereotypes current in popular literature.[44] In the song, the servants were faithful, but the quarreling wife intensified her husband's troubles. When he became upset over debts, she gave him "thereon many an angry word / and quarreled with him, too." In the night she resumed the quarrel, and when he angrily left the bedroom, she followed him in fury: "The woman naked in a rage / pursued him to the parlor."[45] When he first hit her, she retaliated and attacked him "and said for once I'll make you pay, and thrash you in my turn."[46] Only then did he seize the deadly pestle and strike her down. From hapless victim she has become the instigator of the crime. Mentioning her nakedness twice, the song underlines her departure from female decorum and her rebellion against her husband. Even more extreme is her demonization in the second broadside, printed at Lindau. Although the text illustrating the woodcut is quite short, it details the wife's ill-doing. In this version, she caused the money trouble by stealing from her husband, then incensed him with her bitter words when he threatened to leave. When he hit her in anger, she grabbed a knife and tried to kill him, prompting him to finish her off. The first killing became self-defense against a vicious domestic enemy, and the father killed his young son to prevent him from summoning neighbors for help. Like the other accounts, this one does not attempt to find motives for the other murders, besides the intervention of the Devil. It is the first killing that matters, though, and here responsibility has reversed completely.

Unlike the pamphlets by Füglin and Meyer on the Schumacher killings, these five productions have no obvious ulterior aims besides commercial profit and deterrence. Clearly, however, their messages go beyond explicit warnings about the power of the Devil or the harsh punishment awaiting killers. The struggle to make sense of events, and perhaps also to maximize profit, led authors to construct scenarios of domestic conflict out of their own conceptions of gender politics. The invention of a culpable wife clearly aided some in imagining how life in a successful burgher family could go so drastically wrong. This version of the truth changed the moral weight and social meaning of the story. Was this family destroyed by the violence of the father, as the basic facts seemed to suggest? Or did the real problem lie elsewhere, in the maddening insubordination of women? While the more sober prose accounts (likely written for a more educated audience) held to a vision of familial order broken by one individual's loss of control, the most vivid re-creations of the action painted a picture of chronic turmoil finally erupting into deadly violence. All emphasized the horror of "such a lamentable, frightful and unheard-of case,"[47] but the audience's reaction to the horror was pushed in different directions by the storytelling. Of course, this was just one case. Accounts of familial killings did not usually engage in condemnation of wives, instead often assimilating their stories to a different model of household dysfunction, that of the wastrel husband. The point is not that authors were misogynistic, but rather that their accounts embedded cultural assumptions and often unstated agendas. The reading of the crime's meaning was not automatic, even though the song's routine warnings against greed and anger, cursing and swearing, seem to return us to the banal.

Thus the actions of crime did not speak for themselves, either in official records or in the retellings that emerged in print. The meticulous recording of detail in legal records—while mostly dispassionate, in keeping with the rational goals of legal process—still narrates disturbing material. Beyond this, the language of emotional response was used both to signal officials' abhorrence and to rouse a parallel reaction in the public. The first steps toward sensation were taken by authorities themselves as they constructed texts that were both instrumental and self-justifying. But the transition into printed public discourse greatly inflated the narrative role of feeling. Emotional descriptors moved from incidental to central, as engaging the audience became paramount. The crime itself gained in prominence relative to punishment, creating room for more extended scenarios of imagined re-creation. The focus on audience experience often encouraged authors and audiences to identify with the victims, in a shift away from the legal record's concentration on the perpetrator. Crime narratives, for all their convention and stylization, were not putting forward a single predictable message aimed at deterrence of crime and support of authority, though these certainly figured largely. Rather, the works embedded messages about gender relations, sociability, and familial ties, as well as sin and government. Each piece used the emotional consensus against horrific violence to present its own assumptions as normal and universal, even though differing narrations of the same crime reveal these views as potentially contested. Even when the story remained essentially the same, the movement into printed text and image developed uses of crime that went well beyond the practical concerns of justice.

Crime and Christianity

4

The authors and audience of cheap popular literature are usually difficult to trace. In the case of crime reports, however, one group's activity stands out in both production and reception. Protestant clergy were prominent among the few authors who signed their names to early crime accounts. On the receiving end, the most avid sixteenth-century collector of such reports was a cleric of the Reformed persuasion, Johann Jakob Wick of Zurich. Why were these religious professionals interested in crime? How did religious inflection affect the messages conveyed to large audiences in print? While some religious elements derived from structural connections between Christianity and criminal justice, authors and readers also looked to crime for particular religious meanings. Of course, not all crime reports had religious content or higher purpose; many were more likely aimed mainly at commercial profit or secular deterrence, even if they did close with a perfunctory prayer. Still, the seriousness of religious commentary on crime lent weight to the productions of the less pious. Religion could both heighten and endorse the emotive thrust of crime narratives, intensifying a sense that the crimes of deviant individuals reflected a wider threat and wider truths.

The territory of crime overlapped largely with the church's traditional territory of sin. Christianity's whole scheme of meaning parallels criminal justice: sin, a violation of God's law, demands punishment. Salvation is possible because of the sacrifice of the divinely innocent Christ, who takes humanity's punishment upon himself. The central drama of the Passion places Jesus in the position of a criminal, subjected to the worst and most shaming of torments. The legal focus on extracting a confession paralleled, or perhaps caricatured, Christian concern with the state of the soul. The medieval church wrestled with the problem of defining its proper role in relation to punitive action by earthly authorities. A papal decree of 1215 forbade clerical involvement or even presence at executions, banning church participation in the shedding of blood. The taboo against bloodshed continued into the early modern period; church courts that convicted capital offenders such as heretics and witches passed them to the secular power for punishment. But a ban on all clerical involvement came to be seen as incompatible with the cure of souls. In the early fourteenth century, Pope Clement V was declaiming against the common practice of denying confession to the condemned—a call for spiritual care that gained increasing acceptance by the fifteenth century. From the late Middle Ages, clergy played a role in preparation of the condemned for death, providing spiritual solace. Monks and pious laypeople consoled the condemned at execution with religious images in fifteenth-century Italy,[1] and in Germany too, convicts gained access to confession and sacrament. The religious played a pivotal role in promoting the "good death"—one that assured salvation for the soul but also served to legitimate the actions of justice.[2]

The move toward greater spiritual concern for condemned criminals was linked with a rising sense of common sinfulness in late medieval religion. Theologians drew parallels between the earthly punishment of lawbreakers and the torments awaiting sinners in hell or purgatory.[3] Although Protestants dropped purgatory from their conceptions of the afterlife, Luther and other reformers strongly embraced the notion that all humanity was sinful and deserving of punishment. The difference in guilt between criminals and ordinary sinners was one of degree. Only God's mercy and grace could save, and these were so powerful that they would outweigh any amount of sin on the other side.

Cure of the criminal's soul brought clergy into close contact with the condemned. Catholic priests were, of course, barred from publishing secrets of the confessional, but clergy were in a privileged position to gain access to non-secret confessions, as well as to general information about criminal cases. Protestants were especially active in moving to publication. Their early crime authorship may have resulted partly from circumstance: many of Germany's early printing centers were in imperial cities that turned to the Reformation, so they had ready access to the press. To be sure, Catholic clergy wrote about crime in other contexts, as in *L'amphithéâtre sanglant* (The Bloody Theater) by Jean-Pierre Camus, bishop of Belley, a compilation of crime stories published in Paris in 1630.[4] Protestants were more active in popular publication generally in sixteenth-century Germany, but Protestant clergy also found special meaning in criminal violence. It was not concern with the dying criminal's soul that formed the center of their interest, however. Instead, criminal incidents held larger messages for the Christian community at large. Horrid crimes confirmed the utter depravity of human nature and the tireless activity of the Devil. They were regularly interpreted as lessons for the pious on the need to guard against sin. They could also be read as signs from God, marking an age of extraordinary evil and warning of the need to repent while there was still time.[5]

Most crime reports were published anonymously, and they could be written without significant religious content. More common, however, was at least a routine association between human and divine justice. This is hardly surprising given the interplay of sacred and profane in the legitimation and practice of secular justice. The state's role as God's lieutenant in punishing evildoers was a commonplace. Blasphemy was as much a crime as theft, and care of religious and moral behavior was widely recognized as a matter of public policy, particularly in the post-Reformation spate of morals legislation. The duty to punish was a religious as well as secular responsibility, and failure to suppress evildoing could invite divine wrath against the whole community. In punishment, the suffering of the criminal paralleled the torments of Christ and sainted martyrs; before the Reformation and for Catholics, it was often thought to benefit the sufferer's soul, but even among Protestants religious associations of suffering remained.[6] In judicial practice, elements that echoed religious ritual were integrated into punishment schemes. Criminals, especially those condemned for moral offenses, might be required to appear barefoot in penitential garb or to make public confession in church. According to Richard van Dülmen, secular courts increasingly took on the imposition of public penance in addition to ordinary secular punishments.[7] Although secularized in purpose, such practices retained their religious associations and emphasized the alignment of secular authority with the divine order.

One measure of the common religious inflection of printed crime discourse appears in the choice of tunes used for narratives cast into song. In my sample, at least 100 accounts were songs, most with particular tunes indicated for the audience. Among these, the 14 clearly religious tunes were used for 45 accounts. The two most popular—"Help Me, Oh God" and "Come unto Me, Says the Son of God"—were applied to 13 and 12 crime accounts, respectively.[8] On the other hand, the 19 secular tunes appeared in 28 crime publications. (Some tunes could not clearly be identified as either secular or religious, and some songs did not specify a tune.) So the majority of tunes were secular, but usage of these suggests a more casual attachment to the subject matter of crime.

The religious tunes, though fewer in number, were employed for such content again and again. Of course, tunes readily passed from secular to religious use and back again. Protestants were keen promoters of the "spiritual song," converting many popular tunes to pious use, as well as composing new ones. So the evidence of tunes is merely suggestive. Still, the melodies most closely associated with the crime genre—those that might call up the memory of a previous case, or might prime listeners to expect this sort of content—were drawn from the spiritual side. Some song accounts of crime also appended spiritual songs as their second feature, implying association of content.[9]

Evocations of God and the Devil came easily to the pens of early journalists. In fact, seemingly routine refrains of "God have mercy" and "the Devil drove him" sometimes lead one to suspect a superficial piety, grasped for the convenience of finishing a rhyme or adhering to convention. For clerical authors and readers, however, crime was full of religious significance. Although the individual perspectives of identifiable cleric-authors can hardly be seen as typical, together they illustrate the range of religious meanings ascribed to crime. They also show how religion could reinforce elements with broad resonance in the genre, such as sensationalist emphasis on emotion and focus on familial ties.

Clergy engaged in early journalism partly because, as literate people on or near the scene of events, they were in a position to inform others, sometimes simply by letters that later made their way into print. When dealing with crime, clerics also used the events to convey specific religious messages. Philipp Melanchthon, writing in the midst of confessional strife, addressed immediate topical concerns. Others, like the Lutheran Burkard Waldis in Hesse and the Reformed pastor Johannes Füglin in Basel, advanced theological or moral agendas. The views they put forward—of the dangers of the prowling Devil or the need for greater social discipline—shared common ground with the wider body of religiously tinged crime discourse. Perhaps most central to clerical crime authors, however, was the impulse exemplified by Pastor Johann Schwanfelder—the attempt to find a redeeming divine message in even the most horrible of human events. In their narrations they contributed to the development of sensational techniques that heightened the rhetorical role of emotion in the recounting of crime. Both as authors and as the kind of audience represented by Johann Wick, clerics developed and promoted a view of violent crimes as far from random and senseless, but rather fraught with significance both personal and cosmic.

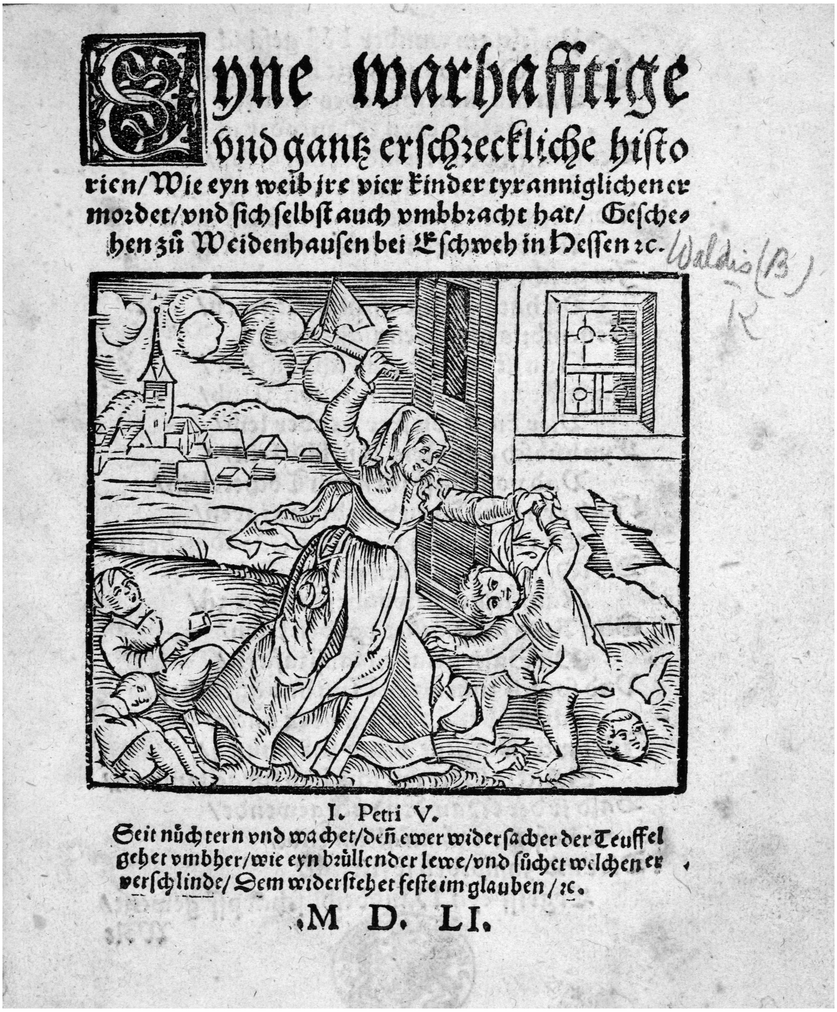
Crime writing could emerge from very direct confessional struggle, as in the report published by Philipp Melanchthon in 1546, one of the few surviving crime accounts printed before 1550 and probably the least known of the theologian's works. Bereft by the death of Martin Luther and threatened by the impending Schmalkaldic War, Melanchthon turned in April 1546 from his usual theological studies to this short pamphlet. It describes the murder of Johannes Diasius (Juan Diaz), a Spanish convert to Protestantism, by his Catholic brother and an accomplice, "solely out of hatred against the single, eternal Christian teaching."[10] The victim, a godly scholar, had come to Germany to help prepare an edition of the works of the Protestant theologian Martin Bucer. According to Melanchthon, the brother came from Rome to urge him to abandon the Lutheran cause. Having failed, he distracted the brother with a letter while a servant slipped behind to smash his head. The culprits fled to Innsbruck and were arrested on complaint of the authorities of Neuburg in Bavaria, where the crime occurred. Melanchthon noted that the government of Catholic Innsbruck was hostile to "Christian teaching" and that it was yet to be seen how they would proceed. His doubts proved justified, as Alfonso Diaz and his servant were later freed on intervention from Rome.[11] The title and accompanying woodcut both link this fraternal murder to Cain's killing of Abel. The picture shows a Cain and Abel scene, Cain standing above and poised to strike as the unarmed Abel raises an arm to protect himself. The pamphlet's conclusion returns to the biblical analogy: the enemies of God's truth are enemies of all members of the true church, as Cain was the enemy of Abel, and the evangelical movement survives only through God's protection. The work expresses the sense of a beleaguered church on the eve of the Schmalkaldic War. Clearly, the author aimed to rally the faithful in its defense, and perhaps to shame the Catholic authorities of Innsbruck into doing the right thing.

Of course, this was hardly a typical crime pamphlet. In the context of sixteenth-century sensationalism, Melanchthon's work is fairly restrained in emotional tone. Still, in its title the deed was done *"grawsamlich"* (dreadfully), and the woodcut presents a (biblical) scene of violence. Further, the focus on violation of blood ties links his account to a widely shared concern with familial killings. This pamphlet was unusual among crime accounts in directly addressing the religious divide between Protestant and Catholic. Melanchthon had a rare opportunity to associate the other side with criminal brutality. Another such moment, on a far larger scale, occurred with the St. Bartholomew's Day massacre of 1572, which inspired much pamphlet outcry against the mass killing of Protestants in France. Such use of crime for confessional ends was unusual, however. Accounts were sometimes exchanged across confessional bounds, as in a 1580 Strasbourg publication that claimed an original printing in Vienna and told of a starving widow driven to kill her children.[12] Similarly, a 1583 report from Vienna about a murderous innkeeper was adapted for publication in Protestant Regensburg the following year, with only slight change to its religious commentary.[13] Most reports appealed to a generic Christian piety that could cross confessional lines.

Still, the great majority of sixteenth-century crime reports stemmed from Protestant areas, and a few did highlight confessional competition. In 1560, an anonymous Protestant author wrote about the execution of a beggar family in Lucerne for robbery, murder, and witchcraft. The eleven-year-old son, when executed by the sword, was ignorant of religion and could not even recite the Lord's Prayer. Nevertheless, the author complained, Catholic clergy prated to him about how he would die as a Christian, the mother of God would not desert him, "and much similar useless babble . . . and so the boy was led happily to death as if to a dance."[14] To Protestant thinking, this was a slipshod and superstitious conversion, unlike true repentance of the condemned. There were relatively few reports from the Catholic side until the seventeenth century; when they did appear, there could be a confessional tinge, but also much common ground. In 1653, the report of Georg Stange's murder of his wife and son was paired with a devotional song praising both Jesus and Mary and asking Mary to send protective angels. The killer's first act of violence was the destruction of his wife's small Catholic altar, and the song's moral stressed retribution according to one's works: "This judgment no one can evade: / As he works he shall be paid. / None will have a different fate."[15] But in other ways, the report echoes many penned by Protestants, with warning against the wiles of the Devil and quotation of the victims' pitiful pleas. For the most part, the religious content of crime reports was not explicitly branded according to confession.

Clerics, however, were more likely to seize opportunities for propaganda. One of the most effective, in both religious message and rhetorical technique, was Burkard Waldis, pastor of Abterode in Hesse and prolific author of drama, fables, psalms, and anti-papal satires. His 1551 pamphlet on a mother's murder of her four children conveys a clear confessional message, with its religious framing announced on the title page. Under the image of the murder scene appears a quotation from Luther's German Bible (1 Peter 5): "Be sober and vigilant, for your enemy the Devil goes about like a roaring lion and seeks whom he may devour. Resist him firmly in the faith etc."[16] (see figure 6).

In presenting this object lesson against the power of the Devil, Waldis created a minor classic of sensational technique, reprinted in multiple contemporary editions. Dramatic re-creation of the crime, complete



Eyne warhafftige
vnd gantz erſchreckliche hiſto
rien/ Wie eyn weib jre vier kinder tyranniglichen er
mordet/ vnd ſich ſelbſt auch vmbbracht hat/ Geſche=
hen zů Weidenhauſen bei Eſchweh in Heſſen rc.

Waldis (B)
R

I. Petri V.
Seit nůchtern vnd wachet/ deñ ewer widerſacher der Teuffel
gehet vmbher/ wie eyn brůllender lewe/ vnd ſůchet welchen er
verſchlinde/ Dem widerſtehet feſte im glauben/ rc.

.M D. LI.

Figure 6. A mother murders her children. (Burkard Waldis, *Eyne warhafftige vnd gantz erschreckliche historien / Wie eyn weib jre vier kinder tyranniglichen ermordet* [Marburg, 1551], © British Library Board, shelfmark 11517.cc.17)

with the children's frantic attempts to escape and their pathetic pleas for life, forced the reader to follow every heartrending step of the domestic tragedy. I explore these features more fully in chapter 5 but raise them here to highlight the religious overtones of this enhancement of emotional response. Audience participation in the victims' anguish recalls the cultivation of tears for the suffering Christ in late medieval religious sensibility. Although medieval clerics distrusted literature's ability to rouse emotion, they could still endorse the use of emotional rhetoric for sacred purposes, as in the popular preaching that spread in the fourteenth and fifteenth centuries. In Waldis's pamphlet, pious empathy was similarly aroused, for contemporary objects but still with religious intent. In crime accounts more generally, similar emotive elements became widespread and often detached from religious content. Even in essentially secular sensationalism, the holy aroma of Christian pity could serve to validate the demand for feeling.[17]

Waldis ascribed no motive to the mother's rampage but left no doubt of its origin. The woman, however extreme her violence, appeared as a mere tool in the Devil's hands. Yet in the aftermath of the crime, room emerged for the resurgence of faith. The mother attempted suicide but survived for nine days—long enough to repent:

> Th'eternal God then lent his grace,
> That by God's word improved was she,
> And then converted blessedly,
> And earnestly did yield her soul to God.

God's grace could save even the worst of sinners, a wonder worked through proper Lutheran instruction in the Word. Conversely, humans without grace are lost and damnable:

> We here on earth are wretched sure
> When God leaves us alone and poor;
> Then every moment do we sin,
> And lie within the Devil's gin,
> Who plagues us ever as he will.[18]

The emotion roused by appalling crime did not go to waste, but served to awaken souls to the truths of Lutheran theology.

Similar emphasis on the Devil's power was widespread in the discourse of crime. He was the most prominent of religious figures, playing a more visible role than God himself. God was certainly everywhere, but he acted mainly behind the scenes. Authors invoked God as punisher of evil, exemplar of pity, source of earthly authority, dispenser of salvation, or protector against Satan. It was God who brought murder to light, even when the means was judicial torture, as one of the earliest extant crime accounts testifies. In this case, suspicion fell on a number of people, but God revealed the right one:

> For if the killer were unknown,
> Many would trouble great bemoan
> Whom strong suspicion did arraign.
> But God the better did ordain:
> This villain they did torture well
> So that he no more lies could tell
> And from his body did extract
> A statement that was truly fact.
> Thus his confession soon was known,
> That he had killed them all alone.[19]

As in this example, God most often worked through agents who enacted his will—particularly governmental authorities who mirrored his inexorable judgment. Even in cases of miraculous punishment, such as swallowing up by the ground or banishment to hell, the dirty work was just as likely to be done by demons.

Satan could become a more tangible figure, directly instigating crimes and even appearing in physical form. He was naturally central in cases of witchcraft, but he also played a major role in crimes committed by more ordinary means. Of course, this is hardly surprising, given widespread conceptions of the Devil as the source of all evil. Martin Luther famously struggled with the Devil as a personal enemy, source of bad smells as well as temptations. The popular "Devil books" of the late sixteenth century, also written by Protestant clergy, ascribed a wide range of social and moral failings to demonic influence. Topics ranged from the Drink-Devil on the evils of liquor to the Marriage-Devil on problem spouses (particularly wives) and even the Pants-Devil on the ills caused by shameless fashions. The Protestant authors of such works turned the Devil into a cultural anti-icon.[20] Many crime authors did without him, though; apart from witchcraft accounts, he appears in about half.

Possibly the involvement of the Devil sometimes seemed so obvious that authors did not bother to mention it. In writing of serial murderers who killed pregnant women to use their fetuses for evil magic, some brought the Devil into the story, while others left him out. Certainly, though, there was also a tendency by the late sixteenth century to assimilate various supernatural elements to a common model of demonic witchcraft, which gave the Devil greater prominence. The roving killer Peter Niers and his gang appeared in a number of accounts, several without demonic content. Johann Wick followed Niers's career with horror; his collection includes three pamphlets on his misdeeds between 1577 and 1582.[21] Niers was arrested and tortured in Gersbach in 1577, confessing to seventy-five murders. According to a song pamphlet from 1577, he learned the art of invisibility from an earlier arch-murderer, Martin Stier. (Wick also owned an account of Stier's misdeeds and added a note in the margin of the Niers pamphlet, cross-referencing Stier's 1572 execution in Württemberg.[22]) Both Stier and Niers confessed to killing pregnant women. Each had also ripped a male fetus from the mother's body, cut off its hands, and eaten its heart. Niers evidently escaped in 1577, to be rearrested in 1581 and this time finally executed. According to the pamphlet account, he was caught only because he was separated from the sack containing his magical materials and so could not turn invisible. Here the capture is considered an act of God, but the Devil gets no explicit credit for Niers's evil magic or his 544 murders, including those of 24 pregnant women. Only the final pamphlet, printed in Strasbourg in 1583, fully explains the diabolical reason for the mutilation of fetuses. Here, the Devil makes an explicit pact with the killers and promises them supernatural powers from the fetal black magic.[23]

Uses of fetal parts for magic appeared more widely in folklore without explicit links to the Devil. Thieves were said to concoct infant flesh into magic candles that would allow them to rob houses without awaking the inhabitants. The association with the Devil was likely inspired by the contemporary upsurge of witch prosecutions. Strasbourg itself had seen publication of pamphlets in 1582–83 reporting on 134 and 225 witches, respectively. The Devil's relationship with murderous bands as described in the Niers pamphlet of 1583 closely mirrored his relationship with witches. The killers were required to renounce Christianity and wash off their baptism in return for supernatural aid in committing crimes and escaping justice. Once they had accepted him as master, the Devil forced them to murder even beyond their will, feeding their huge totals of accumulated crimes. Like witches, they became tools in his hands.

Naturally, the Devil was deeply involved in the semi-religious crime of witchcraft. Pamphlets reported on large groups of witches causing widespread destruction, most notably in the 1580s, on into the seventeenth century. As in other witchcraft sources, witches dealt with a palpable Devil who entered into pacts, presided at sabbaths, and engaged in demonic sexual intercourse. According to a song from 1628, they were led astray "just on account of lust debased, / in which the Devil they've embraced, / who still only betrays them."[24] Other reports similarly recount the Devil's seduction of witches with offers of sex, money, and secret knowledge. Accounts could portray an intensely personal relationship, sometimes with wrangling over his demands for evil deeds. One witch had been the Devil's mistress for forty-five years but balked when he demanded the blood of her three-year-old grandson. For this disobedience, he lifted her in the air and threw her down, breaking both her arm and the power of her charms.[25] Although they fell for the promise of pleasure, the Devil could torment witches once they were in his power, as "the fat candlemaker" confessed. She was glad to be burned, for "the Devil did her ceaselessly / most sorely plague and claw, / so that no peace or rest had she, / but conscience did her gnaw; / thus at his will she constant pain / and torture ever did sustain / throughout all of her life."[26]

Accounts of these cronies of the Devil ranged from mass gatherings attacking humanity and fertility (see chapter 5) to isolated witches working remarkably miscellaneous forms of harm. In a notorious fraud, Anna Ulmerin of Esslingen pretended for four years to suffer from an unnaturally swollen belly, collecting generous gifts from compassionate donors. An exposé in 1551 revealed not only her use of a detachable fake belly but also the reason the fraud was so convincing: "For her mother was thoroughly a witch and had given herself to the Devil, who helped, advised, and served her in all her desires."[27] This seems an unusually helpful Devil! But, as the account points out, in the end he led her to exposure and shame. Another witch was revealed when her son, arrested for poaching, confessed under torture that she had given him a charm that enabled him and his two brothers to escape capture by turning into animals.[28]

Even in crimes that involved no witchcraft, the Devil could make a physical appearance. In 1554 in Saxony, a peasant girl reportedly disemboweled a pregnant neighbor to steal her baby and thus induce her lover to marry her. This crime was quite extraordinary, not least because it was attributed to excessive love, a motive that otherwise appears confined to fiction. Under torture, she confessed to the murder "and also said that a black man had held two lights for her while she did it, so that she could see better. I can well believe it: he whom she served has served her in turn and paid her back."[29] As in the serial murders, the idea of a physically active, pact-making Devil traveled easily between witchcraft and more mundane crimes.

The Devil was especially active in familial crimes. Heinrich Rosenzweig, a wealthy baker of Quedlinburg in Saxony, lost 77 Thalers gambling and wished the Devil would bring him more money. Instantly, a black man appeared and demanded his body and soul in exchange. When Rosenzweig tried to flee,

> The Devil seized him frightfully
> And said, "Since you did me invoke,
> You must submit unto my yoke,
> Or I will take you now
> And drag you with me into hell;
> Therefore my friend, consider well."[30]

Thus threatened, the baker agreed, took the money, and gambled it away. Then he was seized by madness: "Senseless and stark mad was he; / The Devil possessed him utterly." Arriving at home, he killed his six children and his wife, driven by the Devil all the way. Similarly, a wealthy miser, an official of Bergen, turned to the Devil in 1623 when incensed by his wife's generosity to the poor. Satan promised money for killing his wife, but once the man accepted payment, he could not stop at a single murder: "The Devil pursued him just like a roaring lion; he had six children whom he quickly killed as well."[31] On his capture, he told about his dealings with the Devil but later escaped and set fire to his house, which luckily stood alone. It was rumored that the Devil had spirited him away to hell—a more comforting thought, and less embarrassing for the authorities, than the idea that he was still at large.

In other cases, though not physically appearing, the fiend possessed the killers and drove them on to lash out at family. Although the language of possession recurred in such crimes, this was a very different thing from the entry of devils into an unsuspecting victim. The killers invited demonic action—in the cases here by direct invocation, but more often simply by giving way to sin. As discussed in chapter 1, the sin frequently involved economic failings but was at heart a moral failure to eschew loose living and perform familial duties. Over the initial sin—

usually not a murder—the perpetrators had control, but once the Devil took over, there was no stopping the killing.

Religious outsiders like Turks and Jews were regularly associated with the Devil in contemporary thinking. Jews in particular were painted as religious criminals in the chronic libels accusing them of ritual child murder. Accounts of this supposed crime did not require the Devil as active instigator, even though Jews might be assumed to be in his camp. The myth was predicated on an imagined need of Jews for Christian blood, not immediate demonic inspiration.[32] This was one area of early crime publication, with pamphlet accounts from 1529 and 1540, and apparent involvement of both Catholic and Protestant presses. These early accounts do not invoke the Devil, although they could use emotional appeals to depict pity for the victim's suffering as a feeling uniting Christians against Jews. R. Po-Chia Hsia found prosecutions for ritual murder to be on the wane after 1540, in part because of critiques by such Protestant theologians as Andreas Osiander, but a scattering of printed reports continued into the late sixteenth and even the seventeenth century.[33] Other anti-Semitic attacks gave the Devil a larger role, especially in the late sixteenth century, as Jews, like the murderous bands, became associated with the demonic conspiracy of witchcraft. In 1573, Leonhard Thurneysser zum Thurn, court doctor of Johann Georg of Brandenburg, wrote a broadside attack on the court Jew Lippold, who had been tortured and executed in a move orchestrated by his political enemies.[34] While connecting him with the misdeeds of other Jews, this account accused Lippold of being a poisoner and witch who gave himself to the Devil body and soul. A few years later, another vitriolic screed from the same author celebrated the execution of twenty-four Jews in Frankfurt (Oder), also with accusations of devilish black magic.[35]

Religious views of danger from Satan thus shaped the depiction of many crimes other than witchcraft, especially those considered the most grievous. Those who murdered by ordinary violence might well be as much in the Devil's hands as witches. So might Jews, who, like witches, were depicted as bent on destroying the Christian community. The werewolf, too, a traditional folkloric enemy, became a servant of the Devil in a broadside from 1589.[36] The Devil's activity as instigator of all sorts of mayhem rose along with the increased numbers of crime accounts in the late sixteenth century. His rising profile was certainly not just the work of clerical crime authors, but it chimed with their views.

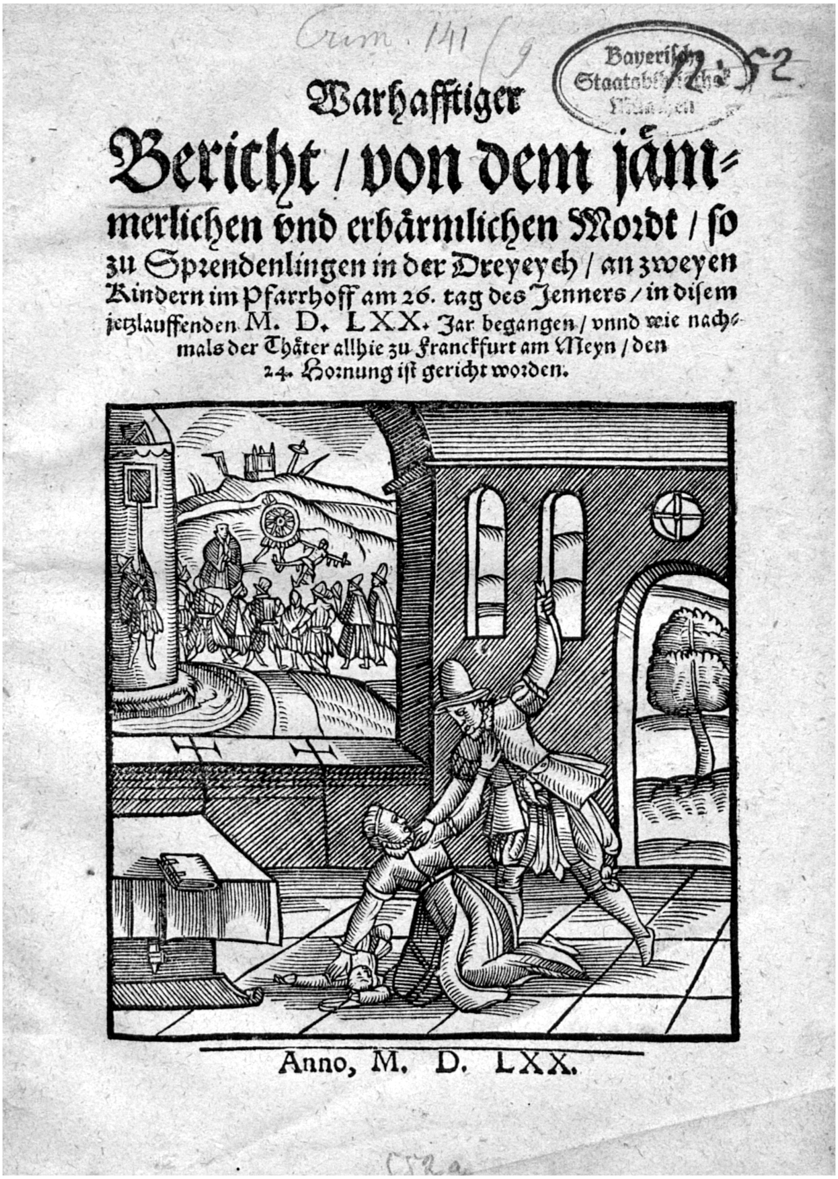
Pastor Johannes Füglin of Basel, writing on the Schumacher murders of 1565, gave the Devil a prominent place. His work illustrates the sense of living in an age fraught with spiritual danger, as well as the political potential of religious interpretation of crime. As we saw in chapter 3, Paul Schumacher killed his godfather and his godfather's granddaughter, then set a fire and fled. In recounting the murders, Füglin refers to the Devil no fewer than thirteen times. Although not physically embodied here like the Devil of witchcraft accounts, Satan was on the rise. He not only seduced the individual soul into sin but was increasingly sowing mayhem that indicated a wider malaise. For Füglin, Schumacher's crime was not just an isolated act; it was part of a larger pattern. Seen in the context of other familial killings, it showed a surge in the worst kind of sin. Further, because Füglin saw murder as a long-term consequence of less spectacular sins, it revealed a more widespread moral decay. It was here that political action could intervene; thus Füglin called on governmental authorities for more vigorous action against the seemingly minor vices, such as gambling, drinking, and swearing, that paved the way for murder.

The political thrust of religious comment on crime seldom involved this explicit an agenda. Instead, authors focused on personal piety, both in the relatively few accounts written by identifiable authors and in many anonymous publications that drew moral messages from crime. Still, crime reporting implicitly linked strong governmental action with protection of deeply held values, as well as protection against dangerous violence. Pastor Salomon Roth of Freiberg, commissioned by local authorities to preach at the burial of a family of murder victims in 1616, published the result in a forty-eight-page pamphlet. He also took the opportunity to lay out the proper Christian response to crime and punishment, drawing on both Luther and Calvin. The dangers of crime required punitive authority to do God's work in preserving the world from chaos. Christians should witness execution not as a mere spectacle but as a dreadful enactment of God's wrath. They should pity the sinner who suffers this deserved death and pray for his redemption. The example should move all to examine their own lives, repent if guilty of serious sin, and otherwise thank God for preserving them from the Devil's wiles.[37] The message of self-examination and reform was tied to legitimation of divinely ordained earthly authority. Of course, Roth was acting on the government's behalf and made the connection more forcefully than most, but the association was widespread.

Constantly implicit in the religious discourse of crime was a linkage between the personal experience sparked by violence and a larger meaning. Crime accounts encouraged an intense reimagining, a reception that would be taken to heart, become one's own. Only then would the truth really come home to people. Roth even valued the gruesomeness of punishment for making the horror of sin vivid and palpable. Similarly, the more shocking the crime, the stronger the message of the utter abomination of sin and evil. God allowed heinous crimes as warnings, according to Füglin and others, to shock sinners into repentance.[38] Like signs and portents, they should be read for divine meaning. But the meaning was difficult to convey, as the author of a broadside commented in 1589: "But because of great grief and sorrow, and even more from natural human horror, no writer can easily accomplish this."[39] Serious authors felt a duty to grapple with horror and share it, despite the emotional difficulty of the material.

The most striking author to heed the call to turn suffering from crime to religious truth was Pastor Johann Schwanfelder of Sprendlingen, near Frankfurt. In 1570, Schwanfelder suffered an attack of murderous violence on his own family, the killing of his daughter (Ammelein) and grandson (Ernst). In his grief, Schwanfelder wrote a first-person account that conveys the tragedy in the most immediate terms (figure 7). Unlike Burkard Waldis, Schwanfelder was not ordinarily an author; he seems to have published nothing else. This one work, however, was printed in at least three editions. The account shows how genuine personal emotion also became rhetorical in this "living sermon," which impels readers to share in the horror and grief. Sparing no details, it invites them to look to God for comfort in even the most unthinkable pain.

In a manner somewhat reminiscent of Waldis's dramatic re-creation of murder, Schwanfelder takes the reader through each turn of events and includes direct speech—in this case, of the killer and other participants, as well as of the victim. Unlike Waldis's more artistic account in rhyme, however, this one is understated and direct, without embellishment. It is the fullness of detail and the author's own involvement that evoke the heartbreaking reality of the crime. On the day of the murders, Schwanfelder and his wife had left their home in Sprendlingen for nearby Frankfurt. They happened to meet a local acquaintance on the way, along with Thomas Rudolf, a stranger. After they parted, Rudolf went to the preacher's house, where only the daughter, a maid, and the grandson were at home. Posing as a student, Rudolf claimed that



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Bayeriſche Staatsbibliothek München

52

Warhafftiger

Bericht / von dem jämmerlichen vnd erbärmlichen Mordt / ſo
zu Sprendenlingen in der Dreyeych / an zweyen
Kindern im Pfarrhoff am 26. tag des Jenners / in diſem
jetzlauffenden M. D. LXX. Jar begangen / vnnd wie nachmals
der Thäter allhie zu Franckfurt am Meyn / den
24. Hornung iſt gericht worden.

Anno, M. D. LXX.

Figure 7. The killing of Ammelein and Ernstlein Schwanfelder. (Johann Schwanfelder, *Warhafftiger Bericht von dem jämmerlichen vnd erbärmlichen Mordt / so zu Sprendenlingen in der Dreyeych* [Frankfurt am Main, 1570], courtesy of Graphische Sammlung und Fotoarchiv, Zentralbibliothek Zürich)

Schwanfelder had sent orders for the daughter to serve him a meal while the maid went on an errand. Although they were suspicious, the two young women were swayed by the appeal to paternal authority. Still, they took precautions: the daughter tried vainly to get a neighbor to stay with her, and the maid consulted other neighbors, who advised obedience to the father's orders. While the daughter was out of the room preparing food, Rudolf killed the young boy, stabbing him and cutting his throat with a borrowed kitchen knife. Schwanfelder describes how the child "came to me two weeks before Christmas, was four years, fifteen weeks, and five days old, had his little book and was learning to read."[40] The murderer then tried to rape the daughter, but she defended herself and screamed for help. She was stabbed seven times: three wounds between the shoulder blades, two in the neck, one in the right ear, and one in the right cheek.

The same level of extensive circumstantial detail continues into the aftermath of the crimes. The daughter collapsed but was aided by neighbors and revived enough to tell the story and identify the killer. When the father heard the terrible news, he wrote, "Anyone can imagine how I felt."[41] Schwanfelder relates both his words and hers on his return home: "O dear daughter how are you, how badly are you hurt? she cried loudly, O father, father, how sick I feel."[42] He comforted her with thoughts of Christ's kingdom and praised her obedience as sign of her faith. She finally died at four in the morning, after receiving the Lord's Supper. As with the grandson, Schwanfelder gives her exact age: nineteen years, thirty-nine weeks, and three days. Parishioners young and old came to grieve with him, "heartily wept for my and the dear children's disaster, and with prayer entrusted it to the dear and true God."[43]

This extraordinary document is a testament to Schwanfelder's faith, as well as a clue to the meaning Protestant divines could find in the narration of crime and the feelings it aroused. Here the emotional weight was inherent in the situation. The seemingly senseless murder of the four-year-old just learning to read is bad enough. But the death of Ammelein Schwanfelder, in spite of her repeated attempts at precaution and her determined self-defense, still moves the modern reader to sadness and indignation, just as the bereaved Schwanfelder moves to pity. The emotional charge of the account comes not from overstatement or literary flourish; far from it. Schwanfelder does not magnify his love for the children but lets it appear in his careful quantification of their days on earth, his description of his grandson's love of learning and his daughter's faithfulness to duty. He allows the story in all its specificity to convey the anxiety, horror, grief, and pity of those involved.

Yet although the feeling of author and participants was genuine and spontaneous, the emotion of readers sympathizing with them also served a rhetorical purpose. This was, after all, a "living sermon," a story with a lesson to teach. Religious messages were drawn both from the behavior and experiences of the victims and from the potential for contrition and redemption of the killer. The deathbed of Ammelein offered a model of godly comfort in the face of suffering. Her natural repugnance and anger against Rudolf gave way under pious admonition to Christian forgiveness. Further, Schwanfelder saw the circumstances of her death, so poignant in that she knew her danger but was barred from escape by her sense of filial duty, as a source of blessing. He repeatedly emphasized the role of appeals to paternal authority and familial duty in keeping Ammelein in the house with the killer. She died in self-denying and even heroic obedience to both earthly and heavenly fathers. As Schwanfelder assured her, this commended her strongly to God's merciful care in death.

The contrasting fate of the murderer also held an edifying message, like that of the repentant mother in Waldis's pamphlet. Despite the extremity of their guilt, the power of grace to work redemption was unlimited. Schwanfelder was unusual among sixteenth-century crime authors in quoting Rudolf's professions of remorse at length (even though they were made before Schwanfelder's own return to the house): "O that I ever was born! O that my mother did not drown me in the bath! And when he was shown my daughter's knife, with which he had done the deed, he said, Would God the knife were struck as deep into my heart as it was in theirs, if only the child still lived and the maiden were still healthy. O you lovely maiden, how murderously I treated you, and you've done me no harm."[44] The emotive terms are dramatized here more than in Schwanfelder's account of his own reactions—evidently to promote imagining of Rudolf's intense remorse. Although Rudolf later escaped from prison and was on the run for several days, he resumed his remorse in prison and called on Jesus at his death. Further, he begged forgiveness from the people whose children he killed, thanking God when he received word of their pardon. "Therefore this example is a living sermon, not only of repentance, but also of the grace of God in Christ."[45] It should move readers to stronger faith in salvation and in Christ's power against the Devil.

Such events not only affected the fate of individual souls; they held a larger message for Christians everywhere. In fact, for the author of this pamphlet and others like it, it was not they who transformed the events into a meaningful script but God himself. Why did such terrible things happen? The third-person conclusion to the pamphlet, which appears to have been written by a different author, assures readers that God's aim in this case was not to damn the killer or punish the minister's children, but rather to awaken all to a stronger sense of their sin. In seeing their vulnerability to God's wrath and the Devil's power, they should turn earnestly to God. Although the level of sin in the world might deserve it, God has mercifully restrained Satan from wholesale destruction. Still, the Devil is allowed to cause glaring examples of sin-—not only murder but also others, such as theft, adultery, and blasphemy—to rouse people from their complacency. God permits such things "so that it is as if he would pull us by the ear, wake us and make us aware, in case some may finally realize in what great danger, terrible suffering and misery they live in this world, and become serious in the search for help and deliverance."[46] Furthermore, they might not have much more time left. The deafness of so many to multiple divine warnings may herald still harsher punishment, and the author hints at the imminence of the "last days and destruction of the whole world": "And indeed in our times we see before our eyes that the axe is laid against the tree. If we do not soon repent and produce good fruit, there are few strokes left before we are felled, if not also cast into eternal fire. But may the merciful God and Father of our Lord Jesus Christ graciously preserve us all from this."[47]

The use of crime literature in the attempt to read God's intentions and gauge the world's stage in history emerges even more strongly in the activities of the most avid consumer and compiler of German crime reports in the sixteenth century, Johann Jakob Wick. Given the impossibility of identifying most readers and hearers of popular literature, his collection offers a rare view of reception and transmission. Born in 1522, Wick came of age with the Reformation already well established in Zurich. He was schooled as a minister under the influence of Heinrich Bullinger, who headed the Zurich church for more than forty years after the death of its founder, Huldreich Zwingli, in 1531. Wick received a humanist education and studied for some years in Germany before returning to take up pastoral duties in Zurich. He held a number of posts, rising in 1557 to a central position under Bullinger. In 1560, he began his compilation of what would eventually become twenty-four volumes of manuscript, illustrations, and printed texts, documenting the troublous times in which he lived. He continued this activity diligently until shortly before his death in 1588.[48]

The collection encompasses a huge range, including events from years before the collecting began and many sorts of occurrences. The subject matter ranged from crimes to battles to natural disasters to famines to accidents to misbirths—none of it good news. Wick's sources were also various. He included extracts from letters, wrote reports of incidents he had heard about, pasted in printed pamphlets and broadsides, and copied others that presumably were borrowed. The huge total of printed works he collected—more than nine hundred pamphlets and broadsides—is dwarfed by the even more numerous manuscript items.[49] He also decorated the collection with many watercolor illustrations drawn by several different hands.[50] From the start, Wick's collection was not merely a private obsession; it was intended to inform others. His comment on the title page of the first volume shows his purpose of addressing an audience: "And if the reader looks carefully, he will wonder greatly at the melancholy times."[51] The volumes were lent out for reading and were well known within Wick's Zurich circle. Although he did not create a continuous narrative or draw explicit morals from the individual items, his purpose was to document these events and communicate them to others.

What was the point of recording all this bad news? Wick's biographer quotes his pessimistic view of human existence from an early sermon written when he was twenty-three:

> Our life here in this world is nothing but misery, anguish and trouble, one sorrow after another. Even if we have much joy, we have all the more heartache. For youth, what is it but constant pain and worry? Youth is the evils of the rod, of labor, and of foolish desires. Age is nothing but a constant sickness, disability and weariness of life, as one illness follows another. There are many cares. The rich cannot eat a mouthful in peace; whoever is powerful and rules over much must also fear much. The poor has nothing but sorrow and misery.[52]

Such contempt for earthly pleasures may have been fairly common in Christian commentary, but the outlook of the collection goes beyond this consciousness of ordinary misery to document the extraordinary. For Wick—and in this too he was not alone—the sixteenth century seemed a time of exceptionally frequent disaster. The repetition of sad events was no accident and should be read for divine meaning. This was true of natural wonders, of course, which Wick and many others saw as signs of God's wrath. Wick pointed to their ominous frequency, "For certainly in more than a hundred years there have not occurred so many prodigies, wonders, and signs as we have seen and experienced in a few years."[53] Bullinger's circle in Zurich shared some of the apocalyptic ideas so prevalent among Lutherans in this era.[54] Although he maintained a hope that repentance and reform could avert further disaster, Wick's outlook shows strong apocalyptic influence. While wonders were perhaps the clearest signs of approaching judgment, the end of the world was also thought to be preceded by a final surge of evil. From this point of view, not only the uncanny but also the violent presaged the coming of judgment and a warning for people to turn away from sin. For Wick, this apparently made every crime, every execution, as worthy of attention as a celestial prodigy.

The comprehensiveness and tirelessness of Wick's work are astonishing. Not troubled by repetitive effort, he or his assistants took great pains not only to document each event but to provide detailed illustration as well. The watercolors vary in size and in skill of execution, but their regularity suggests a concern to address the senses of their audience. The illustrations of witch burnings, for example, recur at intervals with a striking visual repetition: nude female bodies, often in groups of three, clustered around a stake and consumed by flames.[55] The images are similar enough that a lazier compiler might have used a cross-reference. But that would have defeated his purpose, which was to impress not only with what happened but with how often it happened, with the ways in which the signs of worldly degradation and chaos were multiplying. From this point of view, the reader/viewer needed to see the images again and again. Depictions of other executions shared similar elements also, and yet each instance in vivid color struck home the truth of its representation. The artists often took pains to depict particular punishments with exactitude, such as tearing with hot pincers and breaking on the wheel. In other cases, the pictures provided graphic and detailed illustration of the scenes of criminal violence, often far more elaborate than the woodcuts used to illustrate printed crime accounts, and with the added appeal of full color.

Wick's devotion to his task was valued by his contemporaries, as shown by both the assistance he received and the comments of people who read his work. Bullinger, his immediate superior, actively assisted

Wick in his collecting activity by providing material—both extracts from correspondence and printed material—as did his successors after Bullinger's death in 1575. Contemporaries also commented on their appreciation of the work. Wick lent it out to be read, as a letter from the bookbinder Gregor Mangold testifies around 1570: "I am most grateful that you have lent me the last part of your wonderbook for so many days. I have read it through with diligence and pleasure. I beg that you will not give up or grow tired of this work, but rather carry on, for much good will come of it in the future. It would be valuable if all the parts of this book were combined in order into one book."[56] The reading had given him *lust* (pleasure), yet it was a serious business that demanded *flyss* (effort). He expresses his conviction that the book is important and urges Wick to continued exertions. Another reader, the nobleman Rudolf Wellenberg, read it with enjoyment (*hilari corde*) even as the contents had deeply moved and shaken him.[57] Similarly, after Bullinger's death, his son Johann Rudolf Bullinger, also a cleric, encouraged Wick to persevere in the work, "which not only serves to give people much enjoyment, but also contributes to the alteration and improvement of the world's sinful life."[58]

These readers, educated men with whom Wick shared his work, point to its dual appeal of both enjoyment and uplift. Their ready acknowledgment of pleasure shows that they found it appropriate to take delight, even though the events depicted were such horrific ones. What was the source of their enjoyment, and how was it related to the work's serious moral and religious purpose? Certainly, the illustrations were a powerful part of the work's appeal; their striking and often elaborate depictions still fascinate the viewer. Yet readers also professed that they read the book right through, paying close attention to the text, as well as to the pictures. Perhaps they took pleasure from the satisfaction of curiosity, but curiosity had at best ambiguous moral status.[59] The cultivation of wonder, however, was a more respectable pursuit that could combine gratification with enhanced understanding of God's plan and a renewed commitment to applying its lessons.[60] Although the evil times signaled coming judgment, they offered hope of a future in which people heeded the warnings by reforming their lives and turning to God. The enthusiasm of Wick and his associates shows their sense of this as a powerfully constructive work, not a vision of despair.

Apart from its apocalyptic inflection, the pleasure of Wick's readers can perhaps be related to the responses of more general readers for whom we lack direct evidence. For clerical authors, and evidently for others as well, the moral and religious lessons offered by crime provided a good reason to publicize it and to foster vicarious emotional experience of it. Appeals that have since come to be called sensational were part of the process, the rousing of feeling a valuable aid to religious instruction. The reception of such texts called for the use of a sort of sensual imagination not often associated with the Protestant religious outlook, especially the Reformed variety represented by Wick. Of course, this imagination was here called into service not for worship, but as an aid in motivating people to worship. Writers with more secular aims such as profit and deterrence were creating similar narratives, but the religious rationale could also serve secular authors, lending an aura of virtue and piety to their enterprise.

For the Protestant clerics who wrote about them, crimes held a religious meaning important enough to convey to the multitude through print. Although horrified by individual crimes themselves and by the evil they represented, these authors turned to them for a range of insights. They found confirmation of deeply held beliefs in the depraved nature of humanity, the formidable power of the Devil, and the possibility of forgiveness. Further, they found evidence of the growing evil of their time and even a communication from God, warning of the need for repentance and the imminence of the last days. Just as God used shock to get people's attention, so did they, contributing to the growing sensationalist genre. In the larger context of crime publications, religion formed a common frame for understanding criminal violence. The clerics offered especially intense religious content, but there was no sharp divide between their works and the rest. Their religious messages corroborated and legitimized those of perhaps less seriously pious writers. Similarly, clerics used techniques of language and visual appeal to rouse audience emotion that matched and sometimes surpassed those of secular authors. The promotion of religion was a strong partner in the early development of a popular public discourse of crime.

Family Murders

5

A young man, about to end his life on the gallows, begs first that he might kiss his father one last time. As the old man leans forward for the kiss, the son instead bites off his nose. "If you had disciplined me in my youth, I would not have come to shame," he says. This story, from Johannes Pauli's hugely popular collection *Schimpf und Ernst* (Fun and Earnest), was labeled a joke (*Schimpf*), but one with a moral point. It gained wide currency and appeared in many different versions. Although far from the world of actual crime and punishment, the scene opens cultural connections that can help make sense of the widespread familial mayhem of topical crime discourse. The link between crime and improper parental discipline was a commonplace. Especially when committed by youth, crimes could be about family failure even when no other relatives were involved. The criminal threat to family went far beyond this, however, as household killings strongly colored the murderous picture of printed crime accounts. When read together with a broader literature on danger to families, from Pauli's sardonic gallows tale to ominous reimaginings of the prodigal son, these accounts point to an intense complex of anxieties about family relations and reproduction. Reaching a high point in the late sixteenth century and carrying on into the seventeenth, the wave of familial crime and commentary connected danger in the home with broader threats from devilish conspiracy and gender disintegration.

Pauli's collection of jokes and exempla first appeared in 1522 and went through dozens of editions. He attributes the gallows story to Boethius, but it was Pauli's version that gave it new life in the sixteenth century. Youth, he says, must heed their parents to avoid the hangman. In wasting their goods they find plenty of helpful comrades, but when reduced to beggary they are spurned and wind up on the gallows.[1] Crime here emerges from poverty, but it is a poverty caused by vice, a decline both economic and moral from the status of one's parents. Pauli places blame on the young miscreant who belatedly demands the discipline he once scorned. Other authors, however, stressed negligent parenting as the central problem. The scene appears in several printed school plays of the sixteenth and early seventeenth centuries, sometimes with the parental figure changed to a mother. One condemned thief declares after biting off his mother's nose, "Yes, I did it for an example, so that tender mommies will punish with a strict rod and not so often ignore their dear little sons' gambling."[2]

The literal defacement of destroying the nose, as Valentin Groebner has recently pointed out, was among the most shaming of mutilations. People actually did sometimes attack others—normally with knives rather than teeth—to impose this disfigurement.[3] Cutting of the nose, in Germany and elsewhere, most commonly appeared as retribution against women who engaged in illicit sexual behavior. It could be doubly dishonoring when applied to a man: he not only "loses face" but is emasculated, both by a punishment normally applied to women and by the loss of a body part frequently associated with the phallus. In the gallows story, this humiliation is compounded by the grotesque cannibalistic feature of a bite by one's own son. In fact, its very excess helps make it possible ground for wry comedy, with the ironic reversal of the bite replacing the expected kiss. The story is play, but play with some dangerous materials. Crime here is linked to violation not only of law but of flesh, blood relations, bodily wholeness, gender integrity, honor, and social being.

This little story is a distant relative of a larger literature on the theme of the prodigal son, one of the most frequently dramatized subjects of the sixteenth century. Appearing also in other works, including early novels, the prodigal son reached his peak of popularity around the turn of the seventeenth century—in the same years that crime, and particularly family crime, reached its own high point in printed discourse.[4] Early modern authors adapted the subject to comment on their own world, in ways that sometimes connected it with crime. In the process, the prodigal could become a potential threat to the parents, as in Pauli's example. Or, in an even greater departure from the story's original trajectory, the parents could become dangerous themselves. Instead of a story primarily about forgiveness, the early modern prodigal tale was about the breaking of familial bonds as youth departed from parental control. As the theme traveled further from its biblical model, it could become ever more unsettling. The treatments bespeak anxieties akin to those of crime literature proper.

Strictly speaking, the parable of the prodigal son has nothing to do with crime, or with danger to the family, except in the loss of one of its members. In the biblical story, the younger son asks for his share of the property, goes off and wastes it—with harlots, as the virtuous elder brother later complains. In want and hunger, he remembers that even his father's servants have enough to eat. He returns repentant and humble to serve his father and is welcomed with feasting on the fatted calf. Plays on the subject were found especially apt for school drama and, like the story of Susanna, offered lessons for the young. The many authors who treated the theme included Burkard Waldis, who used it to promote Lutheran salvation by faith, against the works-righteousness of the complacent elder brother. Waldis thus stayed fairly close to the comforting religious message of the original story: God, the loving father, will welcome the straying but repentant sinner. He and other authors of plays on the theme used it as an opportunity to explore the low life of the brothel, populating it with rogues whose activities could include the unlawful as well as the sinful. Several authors included an over-indulgent mother as first cause of the prodigal's straying.[5] In most versions, the brief brush with a criminal underworld exposed its destructiveness and sent the prodigal back, chastened but still beloved, to the safety and virtue of the family.

Other permutations of the story could be less reassuring, however. A free adaptation by Georg Wickram, whose work we encountered in the development of the rational hero, hints at danger within the family itself. Readers may recall that in Wickram's early novel *The Good and Bad Neighbors,* the heroes' families were virtually conflict-free, and criminal threats came from outside. In *Der Jungen Knaben Spiegel* (Mirror for [Male] Youth), the family is less idyllic, although it eventually arrives at a happy ending. Wickram also wrote more conventional treatments of the prodigal son, but the *Mirror for Youth,* published in 1554, adapts its themes to a contemporary story that brings criminal danger close to the family circle. This work circulated widely and was imitated and dramatized by other authors, addressing a bourgeois audience similar to that of *The Good and Bad Neighbors.*

In *Mirror for Youth,* the virtuous knight Gottlieb raises two boys: his own son, Wilbald, and a foster son of peasant stock, Fridbert. Wilbald is spoiled and wild; Fridbert, obedient and industrious. Wilbald evades proper discipline and falls into the bad company of Lottarius, a butcher's son who lies, steals, cheats, and gambles. Wilbald's father tries to reinforce the authority of his son's tutor to curb this early misbehavior but is undermined by the boy's indulgent mother. She tells the teacher to go easy on him, pleading his tender years, and "as soon as the knight mentioned the matter, his wife could make a fool of him, as such mamas do, so that one often sees how their sons fare, who have scorned their masters' admonitions and discipline, till at last they have to take the hangman as their schoolmaster."[6]

Finally, the boy is discovered in a tavern, where he pulls his knife and wounds the tutor who has come to beat him. He runs off with Lottarius to an idle life in the city, supported by secret payments from his mother. As these gradually eat into the family estate, the mother ultimately dies of grief and the payments stop. Wilbald and Lottarius are picked clean by innkeepers, tailors, shoemakers, and loose women, until they fall into poverty. Here the two part company and go on to different fates. Lottarius, not content with honest wages, is caught stealing twice; the first victim takes pity on him and lets the matter drop, but he is not so lucky the second time. Hauled before the authorities, he is tortured, confesses all his misdeeds, and ends at the gallows. Wilbald meanwhile becomes a herdsman, then a minstrel, plumbing the depths of social descent. The example of Lottarius's fate opens his eyes to the wages of disobedience, and he eventually returns home to beg and receive his father's forgiveness.

This of course is a very tame story compared with the journalistic accounts of family killings that proliferated in the following decades. Yet there are hints of lurking menace. The disturbing acts are muted or displaced onto third parties, but they show destructive potential. Wilbald stabs not his father but the tutor, his father's representative. It is not Wilbald but his alter ego Lottarius who ends at the gallows—terminus of the path they had both begun. The one real casualty, Wilbald's mother, dies not of violence but of a broken heart. The economic losses from her misplaced generosity and Wilbald's squandering damage the family without breaking it. Still, the misdeeds of the wayward son pose a threat across generations and associate the failure of familial discipline with the road to criminality. Like Pauli, Wickram places criminal danger not on the social margins but in the circle of the substantial families of his audience. The prodigal has money to waste before either coming to his senses or ending on the gallows. This family is spared the blatant damage inflicted by the nose biter, but it is hardly unscathed. Perhaps for this reason, Wilbald's father kills no fatted calf; instead, he makes his son earn his rehabilitation through work and good behavior.[7]

The Reformation laid new stress on household relations and forms an important part of the background to such discourses. Protestant teaching imbued the family with enhanced religious significance. First of all, the ordinary secular life of married people, complete with its begetting and rearing of young, was as holy a calling as that of celibate clergy—or even more so, since the married were not preening themselves as purer and closer to God than others. At the same time, the household became a crucial center for religious education, with fathers especially invested with responsibility for the spiritual instruction of their dependents. Many, of course, did not live up to such ideals. The new morals courts set up in many localities sought to police the basics of marital behavior—punishing wastrel husbands and obstreperous wives, as well as sexual misbehavior—and found plenty of offenders. The pressure of high expectations likely made familial failure all the more troubling.[8]

The literary criminals and prodigals linked intergenerational tension with crime and even with murder, but they could hardly compete with the level of familial mayhem presented by printed crime accounts. Although authors saw each occasion as an unheard-of atrocity, accounts of household murders multiplied in the second half of the sixteenth century and into the seventeenth, reaching a peak in the 1580s. Parent–child killings especially spiked in that decade (as did accounts of witchcraft). In the crimes recounted in print, such murders seldom ended with a single victim, but overflowed into multiple killings, especially of children. The crescendo of violence in the decades around 1600 coincided with heightened economic stress and witch panics. As discussed in chapter 1, the picture presented in published accounts was hardly a realistic portrayal of the level of domestic killings, even though the crimes were real. We learn here not what happened most often, but what was considered most horrific. Murder in the household was the single most common theme of printed crime accounts, usually involving violence between blood relatives. Not only was this type of crime prevalent in terms of numbers, it was also the most conventional, tending toward recurrent formulas. Especially prominent was intergenerational violence, particularly the killing of children, which appeared in two-thirds of my cases of household murders (63 of 95). In most cases (64 of 95), the murder did not stop with one family member.

Observers in the second half of the sixteenth century were convinced that such outrageous crimes were on the increase, even before the large spike in publications on family murders in the 1580s. Johannes Füglin, commenting on the Schumacher murders in Basel in 1565 (see chapter 3), linked them to a growing trend of godlessness that expressed itself in familial murder: "In the shedding of human blood, such shocking and horrifying cases have sometimes also occurred in the past, but more and more in the present day. So that not only those who are somewhat related (although in truth we are all brothers and sisters) have dipped their hands in each other's blood, but also the very nearest relations. . . . A few years ago a father stabbed his own son to death over a single pin. Just a few years later a son hard-heartedly hacked his father to death, only because of his faithful admonition."[9] The murderer in the Basel case, Paul Schumacher, was a godson rather than a blood relative, but such parallels also were read as part of a pattern of growing depravity. Johann Wick, as he compiled his collection of crimes, wonders, and misadventures large and small, saw them as signs of the "miserable times" in which he lived.[10]

In examining the scenarios of familial destruction that preoccupied topical crime accounts, one can identify a number of separate but interrelated elements. Some were confined to family crime proper—killings by members of the same household. Others looked beyond the domestic scene but echoed themes that recurred in the familial context. Individual reports might contain only one or two of these elements, and some were more common than others, but their cross-echoes and thematic overlaps tie them together. First, household destruction: people attacked those who shared their intimate domestic space. Second, blood violation: people killed their own close kin; especially emphasized was intergenerational killing in which parents murdered children or vice versa. Third, attacks on reproduction: violence targeted young children or pregnant women, and narratives dwelt on their dangers. These were the central, most recurrent features. Going beyond literal attacks on the family, these accounts show symbolic and thematic connections to broader dangers, overlapping with features found in other crime accounts. These were, fourth, extreme violation of bodies: horrors here included disembowelment and even cannibalism. Fifth, conspiracy with the Devil: this could involve not just individual temptation but large numbers of organized evildoers and widespread mayhem. Finally, witchcraft: both traditional witches and mass murderers directed special attacks against reproduction and the young.

The earliest publication among my sources, recounting a crime committed in Vienna in 1504, already broached the themes associated with household and family destruction. Unlike most of those that came later, this one dealt with murder not by a blood relative but rather by an employee, and a lapsed one at that. It was also distinctive for its literary quality, signed by Kunz Haß of Nuremberg, author of popular rhymes on marriage and society. Although atypical in some ways, the work is highly revealing, both for elements that later became conventional and for those that did not. The work was probably written around 1504 when the events occurred and may have been printed then as well, but the earliest documented edition appeared in Strasbourg in 1515. It was published again in Nuremberg in 1516 and went on to a long life of reprints, with editions in Nuremberg sometime after 1548 and in Augsburg in the 1560s. These multiple editions and reissues are telling evidence of how strongly the features of the story resonated long past the time when it was news.

The killer Barthel, son of a prosperous and virtuous father in Regensburg, was apprenticed to a Viennese baker but left after working only five weeks and four days. He went traveling, then returned to live a life of dissipation and gambling. Having run through all his money, he decided to rob his master's house. In the process, he killed the whole household—the manservant and maid, the master and his wife, and finally the seven-year-old daughter. Haß's account explicitly places the story in a world of hardworking artisanal responsibility, emphasizing the young Barthel's violation of these values. At the same time, it opens themes of household destruction and emotional appeal that resonated far into the following decades. Remarkable for its dramatic treatment of both crime and execution, the work emphasized its familial theme and especially highlighted the pitiful pleas of murdered children, a feature that came to be widely repeated.

The setting of values starts with Barthel's own father, who sent him off with proper admonitions, as well as a generous amount of money. In fact, the poem devotes fifteen lines to the father's unimpeachable advice, which could have come from any contemporary moral tract:

> Of women and of vice beware,
> Of gaming and of excess wine,
> And all bad company decline
> As soon as their ill deeds you see. . . .
> So fare thee well now, my dear son;
> In youth most carefully behave,

For there is many a lying knave
To lead a young lad far astray.[11]

His household of origin was adhering to the best practices of house fathers, who were responsible for both economic prosperity and moral oversight of the household members under their charge. The same was true of the household in which he went to work. His first victim was a hardworking employee, so diligent that he was sleeping in the workroom in order to get up early and start baking. Just as the rhyme emphasizes the unfortunate worker's laudable devotion to duty, it shows the master of the house faithfully fulfilling his responsibilities. On hearing noise in the night, he thought that the maid and manservant must be quarreling: "He quickly rose and dressed him straight / The quarrel to investigate, / As well a householder befits."[12] The author continually paints the crime not only as an attack on innocent victims but, even more disturbingly, as an assault on the peaceful and industrious way of life that formed the bedrock of early modern social values.

Like many later crime accounts, Haß's rhyme used literary techniques to heighten its emotional impact. These ranged from the simple use of emotive intensifiers, such as the "gruesomely" (*grausamklich*) of the title, to the use of suspense and reconstruction of dramatic dialogue. Most striking is the use of direct speech to heighten the pathos of his killing of the family's seven-year-old daughter:

The child then this same baker's lad
So piteously his eyes did meet,
And said to him in words most sweet,
"O Barthel dear, please let me live,
And all my dolls to you I'll give.
My father's keys I will you show."
The murderer then cut her throat.[13]

Such direct, heartrending pleas from child victims appeared often in crime accounts of the late sixteenth century, making a repeated appeal to audience identification and emotion. In this case, there was a possible witness—Haß not only quotes the words from the murder scene but has Barthel repeat them at his execution. In other reports, however, they could be like the thoughts of the master baker—an authorial invention to foster fuller imaginative participation by readers and hearers.

Although the precocious Haß advanced key themes of household crime, its real growth belonged to the second half of the sixteenth century. Burkard Waldis, who similarly applied literary talent to familial murder in 1551, focused on parental rather than juvenile violence. He too was ahead of the main wave with "A True and Most Horrifying Account of How a Woman Tyrannically Murdered Her Four Children and Killed Herself, at Weidenhausen near Eschwege in Hesse."[14] Like Waldis's treatment of the prodigal son, this work served a confessional purpose. As we saw in chapter 4, the mother's deathbed conversion offered an opportunity to promote the Lutheran vision of salvation by faith, just as her rampage revealed the power of the Devil. At the same time, Waldis's art honed sensational techniques and contributed to the culture of familial pathos in the discourse of crime.[15]

The title woodcut pictures the woman dismembering her children, in striking juxtaposition of the mundane with horrific violence (see figure 6). The background is an orderly country scene, with village houses clustering about a church whose spire rises into a sky of peaceful clouds. According to the text, the murders took place inside the locked house, but the image locates the crime in its context of village community. In the foreground is the murderous mother, raising her hatchet to finish chopping off the head of a curiously smiling child. This expression, incongruous to the modern viewer, emphasizes childish innocence. The mother is dressed in the most normal of everyday clothing, though her headdress has been disordered by her frenzy. The purse hanging from her waist signals her role as housewife, responsible for management and care of the household. At right are two walls of a house, perfectly regular in their dimensions but marred at the front by a jagged patch. On the ground around the woman are the three other children, with severed heads and limbs. At every level the ordinary encounters the horrific. The caption cites the biblical warning against the ever-prowling Devil, underlining constant vulnerability to the very worst imaginable.

The style of narration intensifies the pathos of the tragedy still more, recounting the pursuit of each victim and the children's innocent attempts to save themselves. The circumstantial detail prods the reader to vivid imagination of the scene:

> She first went for the eldest son
> Attempting to cut off his head;
> He quickly to the window sped
> To try if he could creep outside;

By the leg she pulled him back inside
And threw him down onto the ground;
He got up and away did bound.[16]

Waldis follows the action as the boy runs and hides in the cellar, crouching behind a barrel, but the inexorable mother finds him at last. Like Haß, and like hack authors in many later reports, Waldis directly quotes the pleas of the child victim:

He said, "O dearest mother mine,
Spare me, I'll do whate'er you say:
I'll carry for you from today
The water the whole winter through.
O please don't kill me! Spare me, do!"

But no plea helped, it was in vain;
The Devil did her will maintain.
She struck him with the self-same dread
As if it were a cabbage head.[17]

The other murders follow, each dramatized with similar suspense and emotive intensity.

Although Haß and Waldis were both unusual among crime authors in their literary ability, their works show widely shared sensational elements in the depiction of household destruction. The texts demand and structure imaginative participation by the audience. Accounts emphasized the shocking transformation of ordinary households into scenes of mayhem, the innocence of cabbage chopping and children's everyday chores or humble treasures confronting the unspeakable. In most cases, where the criminal and victim were related, they strongly invoked the emotive bonds that ought to exist between close relatives, emphasizing the bloody violation of the ties of blood.

Many of these works, like Waldis's, featured parents run amok, slaughtering their children and sometimes other household members as well. Usually it was the father who turned to violence, often first quarreling with his wife and killing her, then going on to destroy the rest of the family. Blasi Endres (see chapter 3) was only the most notorious of a much wider group. Sometimes they also killed themselves, an outcome that was considered the ultimate victory for the Devil. Jörg Kleck, in a murder near Schaffhausen in 1561, killed his pregnant wife, three-year-old son, and infant daughter, then hanged himself.[18] Often the numbers went higher. Blasi Endres killed seven—or eight for those who counted his wife's unborn child: his wife, three children, and three servants. Jörg Rösthell killed his wife and six children. Christoff Bihl killed nine children, though not his wife, who was out at the time. More destructive still was the burgher of Hall in Tyrol who killed first his pregnant wife and five children in his own house; then his mother at her house; then the alewife, maid, and four children at the alehouse; and finally his brother-in-law's whole family—altogether twenty-four victims in a single night.[19] Occasionally miscreants set fires to cover their crimes and accumulated still greater totals by burning down neighboring houses.[20]

Although Waldis offers no explanation for the murderous mother's actions (other than the wiles of the Devil), authors more commonly cited an economic issue as precursor to violence (see chapter 1). The killers were often well-to-do burghers or peasants, like the cooper Christoff Bihl, "von Reicher art," who killed his children in 1580.[21] Although they had plenty, or could have had, these householders succumbed to greed or vice. Accounts of these crimes multiplied in the harsh years of the Little Ice Age in the late sixteenth and early seventeenth centuries, but most attributed economic woes to moral failure rather than absolute need. Bihl wasted his goods in drinking wine and gambling with his cronies, to the point that his wife had to pawn her clothing to feed the children. Similarly, Jörg Rösthell in 1599 spent all his time at the alehouse drinking and feasting, as did the burgher of Solbad Hall in 1607 and Hans Prock in 1609, before they killed wives and children.[22] Blasi Endres was a rich factor and innkeeper who grew angry over some losses.[23] In 1602, the wealthy peasant Bernhard Kuntz, possessed by greed after remarrying, attacked and killed his sons by his first wife.[24] In each case, the economic demands of the family confronted the father's selfish irresponsibility, with explosive results.

The main variant to these scenes of parental rage was intergenerational violence in the opposite direction: children who went bad and attacked their parents. Often they attacked siblings (or other household members) while they were at it. As with the parents, greed often appeared as the trigger, reinforced by the encouragement of the Devil. Franz Seuboldt was a *haußsechigen* (wastrel, drunkard) son who ran into debt and, after quarrelling over money, plotted to kill his father, an honorable burgher and town official.[25] Concern about their inheritance spurred the children of the wealthy captain Jacob Eliner, who was planning to remarry; after long plotting, they killed him in 1595.[26] Similarly, the son of the well-respected burgher Mattheus Weiß had been entrusted with the keys to the old man's wealth but wasted it in drinking with his friends. When his father asked for the keys back, the son killed him.[27] The few daughters who featured in such accounts were sometimes guilty of unchastity even before their greed came to light. Among the worst of unruly children was the late example of the terrible daughter Magdalena, who appears in a broadside of 1650 and again in a pamphlet from 1673 that transports the action to a different time and place. After bearing and killing two illegitimate children, she demanded her inheritance, and when her father refused, she killed her parents and siblings.[28]

Authors emphasized the unnatural departure from familial feeling in these household killings. The peasant Kuntz, in his greed, had forsaken not only God but "even the inborn love and heartfelt fatherly loyalty toward his own children."[29] Blasi Endres killed his son Philip "as if all natural inborn blood loyalty had been extinguished in him."[30] When Jörg Rösthell went to kill the third of his children, the boy begged to be spared, but "still he had no pity, felt neither grief nor sorrow."[31] Similarly, the mother in Waldis's account was unmoved even by the cries of her infant in its cradle: "Yet it could not move the mother's heart."[32] Murderous youth showed the same unnatural flintiness in the violation of blood ties as they killed "their own [bodily] natural father."[33]

It is worth repeating that, for all the emphasis on the lack of proper familial feeling, the feelings invoked were mainly those of blood loyalty, particularly across generations. In contrast to the crime literature of other times and places, these were not "crimes of passion." There was very little stress on emotive relationships between spouses, other than anger roused in the course of quarrels. The jealous husbands and lovers who populated the crime stories of Georg Philipp Harsdörffer in the mid-seventeenth century had no place here (see chapter 7). There was the occasional case of incest followed by murder, as well as an adulterous wife who plotted to kill her husband.[34] Even in such cases, accounts tended to lay little stress on what one might call "horizontal" emotional bonds between age mates, as opposed to "vertical" ties of blood across generations, at least until the late seventeenth century. Thus, for example, the 1557 account of a murderous wife mentions a ten-year pattern of adultery as a likely source of her motive, but it recounts nothing else about her amorous activities, detailing instead the means by which she suborned her maid into helping with the murder. In another case, from

1598, a traitorous wife conspired with a servant to kill her husband and take his goods. One might presume an adulterous relationship, given their plan to run off with the loot to foreign parts, but the narrative dwells on other matters, particularly the excessive greed of the rich husband and the woman's heartless killing of her children, who pleaded with her to spare them.[35] Spouses were killed, but largely as part of a wider attack that included cross-generational violence. Overall, narratives of violence between parent and child greatly outnumbered spousal murders. This does not mean that spousal violence did not occur and lead to deaths—but those were not the crimes that most appalled the public. The relationships charged with catastrophic violation of emotional norms were not those of sexuality but those of reproduction.

The killers' unnatural hardheartedness appears not only in descriptive commentary but also in the repeated dramatization of the victims' pleas. Again and again, as in Waldis and Haß, audiences heard the children's innocent voices and their naive attempts to bargain for their lives. Regularly, too, the accounts moved through the dramas of murder step by step to describe each separate killing. During Christoff Bihl's rampage, his little son Martin ran up "with father to be playing / Who seized him by the arm and stabbed / Straight to the heart him slaying." Then Bihl killed two more, one of whom had come to ask him for food. Two of the youngest "then straight began to cry and said, / We aren't hungry, father!" but he paid no attention to their pleas.[36] Jörg Rösthell killed first his wife and then his six children; the account of the murders goes through each in turn, with their direct speech in response to their horrific experience. The eldest, seeing his mother's body, cries, "O my beloved father / What is it you have done?" The language of filial affection underlines the father's heartless violation. Another, after seeing his sister murdered, offers not to tell his mother if he is spared—not knowing that his mother is already dead. The youngest begs:

> O father, let me live!
> No longer need you food or drink
> Or bread for school me give!
> He heeded not at all the same,
> The wicked villain void of shame;
> Nothing could touch his heart."[37]

Similarly, in a song about the Endres murders, ten-year-old Philip ran in "and cried at once with a clear voice / o woe, father, said he to him / what are you doing to my mother?"[38] The song form was especially prone to such direct expressions of victims' voices.

Such pleas of young victims were heard also in killings by youth. One young wastrel, after killing his twin brother in a quarrel, went home to kill his father and take his money. Then he killed his mother and two small siblings:

> Then said to him the eldest,
> "O please my brother dear,
> I beg you leave me living,
> And I will give you here
> My nice new little pants you see,
> The ones our father ordered
> And just had made for me."[39]

The pathos of this hopeless appeal, like that of the girl who offered Barthel her dolls, points up the child's ignorance of adult values. Other victims could also appeal in vain to the ties of blood relation. As one daughter pulled her mother out of bed by the hair, the mother spoke:

> She said, "I've never done you harm,
> Why would you murder me?
> Remember I with pain and smart
> Bore you nine months beneath my heart.
> God surely will you punish."[40]

Like the pleas of murdered children, the mother's words express a standard maternal sentiment. Very similar language of maternal nurture was voiced, for instance, in a very different context, by a mother urging her children to suffer martyrdom for their faith.[41]

The heartrending pleas of young victims became a common formula that extended beyond the realm of familial murders. Audiences evidently accepted these quotations of childlike pleading as appropriate, even in cases where no witness or confession existed.[42] Their contribution to the vividness of the portrayal was likely taken by audiences not as a transcript of actual words spoken, but rather as a reimagining that captured the moral truth of the dreadful situation. Of course, such words could have been reported by confessing killers, as Haß depicts in his account of the execution of Barthel the apprentice. More likely, however, they were often like the words that Wolfgang Meyer put into the heart of

Sara Falkeisen in his song about the Basel murders committed by Paul Schumacher (see chapter 3). The author acknowledged that they were invented, as were the cries and pleas that appear nowhere in Schumacher's confession.[43] Nevertheless, the words expressed—for him and for the audience—what she surely would have felt. Similarly, the words attributed to child victims reflected widely shared emotive norms. In a world where religious theories of childhood often still stressed original sin and the need for strict discipline with the rod, these depictions struck a different and far more sentimental note.[44] In these stories, the children are naive and helplessly innocent. The depictions invite re-creation of the children's point of view, evoking their pathetic trust in the elders who had run amok: vain hopes that the adults would respond to offerings of new shoes, dolls, household services, or removal of the children's economic burden through denials of hunger. The stories called insistently for emotive engagement on the part of the audience, whose humanity and Christian empathy were marked by their distance from the callous murderers who could hear such poignant pleas without feeling pity.

In addition to their evocation of the suffering of victims and their frequent re-creation of the killer's inexorable progression from one victim to the next, accounts underlined the literal bloodiness of the crimes. The weapons used were seldom neat. Murderous fathers typically used hatchets, swords, and knives to kill the members of their household. If they occasionally seized a heavy household object, they might still finish the job with a blade. Endres first hit his wife with an iron pestle, then cut her throat when this failed to kill her; he went on to strike and cut again, killing his wife, servant, two maids, and three children. The wounds to the maids were, according to one author, too grisly to describe.[45] Murderous youth could be equally bloody. The broadside on Christian Nockel's killing of his parents and grown sister both describes and illustrates how the rooms flowed with blood. The panels portray the scenes of murder: with a sword he stabs the couple in their bed, blood gushing from wounds in their chests. Then he wields a hatchet over the sister in her bed, as blood flows to the floor from wounds in her head and chest.[46] Though one finds the occasional shooting or strangulation, the plentiful flowing of blood is far more common. Such graphic depiction of violence appeared in nonfamilial crimes as well (see chapter 6) but was especially striking in domestic scenes.

Of course, these descriptions of violence, including the weapons used, are a reflection of actual events: people did in fact kill family members with the sharp objects found in their homes. Unlike the formulaic pleading of the victims, the blood is not a literary construct. Yet, though an ugly fact of these violent crimes, the blood also conveys symbolic meaning. Blood in German as in English signifies familial relationship. Killers awash in the blood of their kin are a spectacle of extreme transgression, polluted by a spillage that figures their own disintegration. Blood had multiple associations of meaning, from the sanctifying power of Christ's sacrificial blood to the uncleanness of menstrual flow to the indelible, incriminating stain as found on the hand of Lady Macbeth. Its meanings are not always predictable, as Caroline Bynum has pointed out.[47] The blood shed in familial murder could simultaneously evoke salvific blood, as the blood of helpless innocents, and the blood of generation—closely tied not to spirit but to body and tissue, including the inner and secret spaces where it belonged but had not been allowed to remain.

The desecration of bodies could reach the level of the grotesque, in symbolism that linked family crimes with wider mayhem. In their scenes of pollution and mutilation, narratives of household murder overlapped significantly with the depictions of mass killers that began to appear in the 1570s and peaked in the 1580s—a high point also for parent–child killings, crime reports overall, and accounts of witchcraft. The symbolic significance of blood and bodies appears most tellingly in the images of gross desecration associated with disembowelment. One murderous son, after cutting his father's throat, was not yet satisfied:

> When he his father's heart took out,
> He struck him with it in the mouth,
> Then quickly wolfed it down.
> Satan drove him to it.

He went on to commit ten other murders before he was caught and executed, with extra torments to reflect his heinous crime.[48] Here mutilation was aggravated by a perverse cannibalism, forcing the father to taste his own blood and ingesting the heart wrenched from the father's body. Striking in the mouth with body parts was also a ritual of extreme contempt and shaming, sometimes applied by criminal justice to the most egregious criminals, such as traitors. This macabre element appears also in an account of a somewhat more typical disemboweller. In 1597, Bartel Langenfeld committed fifty-five murders; fifty were ordinary killings, but the other five linked him with both familial killing and an even more sinister pattern:

> Five women who were great with child
> And his own wedded wife defiled.
> He cut her open living;
> The bloody dog admitted it,
> Her mouth with the fetus he did hit
> (O God have pity on us!)
> Because a boy he did not find.[49]

This was only one of many murders, but it was the most heinous one, committed against his own wife and child and establishing him as part of a wider danger. As we have seen, murderous bands were widely accused of killing pregnant women in order to use male fetuses for evil magic.

Familial murderers usually killed multiple victims, but they came nowhere near the remarkable totals achieved by such serial murderers, either alone or in organized groups. Among their many crimes, the disemboweling of pregnant women was the most significant, as well as the most ghastly. Accounts regularly pointed to such murders, which signaled the miscreants' involvement in evil magic, but also underlined the threat to generation and linked them symbolically with narratives of familial destruction. An account from 1570 of two murderers in Moravia reported that they had confessed to 124 murders. Among them were two pregnant women; they had cut out and eaten the hearts of the children. In another desecration of fertile bodies, they cut the breasts off young girls when they killed them.[50] During his career of 544 murders, Peter Niers killed 24 pregnant women.[51] Martin Stier had killed three "great-bellied women," in one of whom he found twins, whose hands he cut off. He ate the hearts with great relish.[52] Ulrich Oettinger, alias Sew Vile, made a detailed confession of his robberies and murders in 1613. Among them was a pregnant woman whom he and his gang had tied to a tree and eviscerated; they cut the right hand from her still-living male fetus to use for their nefarious purposes.[53] Similarly, Melcher Hedeloff, in 1654, had killed 251 people, disemboweled pregnant women, and eaten the hearts of the children inside.[54] Similar practices were attributed in 1606 to a group of *Todten gräbern* (corpse diggers) in Silesia who cut open pregnant women and ate the hearts of the infants, although in these cases the women were already dead.

While one might be skeptical about the magical efficacy of fetal hearts and hands, there is unfortunately nothing inherently incredible about disemboweling. It has not been possible to verify the facts reported in these printed accounts, but there is some evidence that similar crimes were actually committed. The Nuremberg executioner Franz Schmidt wrote about thieves' candles, obtained by murderers from the fingers of unborn boys; in 1577, he recorded the execution at Bamberg of a murderer who had killed three pregnant women and extracted the fetuses.[55] Such crimes were likely rare, as indeed were multiple family killings. Monika Spicker-Beck did not find disemboweling in her archival survey of sixteenth-century robber bands, although there were some mutilations that involved hacking off the limbs of both male and female victims.[56] In any case, the complex of practices attributed to bands of robbers and murderers resonated well beyond their actual deeds. First, their attacks on pregnant women and infants aligned them with the violations of blood taboos in household killings. Second, their activities linked them to fears of witches, who were similarly organized, devilish, and anti-human. Third, their deeds were assimilated into folklore, retold in contexts detached from their time and place. Such formulaic details as the eating of hearts, or the striking of victims in the mouth with body parts, resonate with imagined desecrations similar to those that appeared in some familial murders.

A number of accounts from the late sixteenth century about the selling of wives to murderers illustrate the widespread cultural familiarity of such scenarios, as well as their slippery boundary with the realm of folklore and legend. The earliest of these claim to report events in the vicinity of Bremen, although they disagree on the name of the dastardly husband.[57] In both accounts, murderers offer 300 Gulden in exchange for the pregnant wife. In one version, they had already bought and killed fifteen pregnant women, but without finding a male child.[58] Neither these accounts nor other wife-sale songs trouble to explain the murderers' motive; clearly, the audience was expected to know about the evil magical uses for fetal bodies. If it seemed odd to any that such ruthless criminals would pay good money to obtain pregnant women instead of stealing them or killing their husbands as well, these doubts did not interfere with the stories' popularity. The husband lures his wife into the woods, where she is tied to a tree. Then the killers gamble to decide who will cut her up—an activity that delays the murder long enough for rescue to arrive. In the earliest versions, a nobleman comes by hunting with his dogs and scares the murderers away. Horrified at finding the poor woman naked and bound, he takes her to shelter, where she bears twin sons. A song from 1596 places the action farther south, in Kirchheimbolanden, and develops the casting of lots among the killers into a folkloric scene. The lot first falls to the youngest, who has never killed before; he is unable to do it. The second scornfully seizes the knife, but he also falters, as God lends his protection. The third is about to kill the woman when foresters come to the rescue. Here too the woman survives to bear twin boys.[59]

These songs present themselves as news, reporting executions on the wheel of the husbands or the killers. Yet they incorporate imagined elements, which serve not literal truth but narrative structure and which assimilate these supposedly topical events into repeated patterns of cultural meaning. Features like the casting of lots, the progression through three would-be killers, the rescue by hunters, and the bearing of twins echoed classical folktale themes. Though placed in the world of the everyday and of real danger from robber bands, they shade into legend. And indeed, the story became a popular ballad, detached from specifics of time and place.[60]

These narrations intersect with the accounts of familial destruction in a number of ways. The murders of pregnant women and abuse of fetal bodies attack reproduction in its very process, parallel to the more implicit attack on reproduction of the parents who kill their children. In the wife-sale variations, the murder becomes familial, as the husband and (presumably) father prepares and abets the proposed violence. These similarities in theme are reinforced by echoes of symbolic incidents that relate the different forms of crime. In an account of six murderers executed in Moravia in 1603, it is by this time no surprise to learn that they had cut open pregnant women and used the fetuses for witchcraft. One of them confessed further that he had once killed eleven people in one night, a whole peasant's household. In all this mayhem, he had one regret: the killing of a five-year-old child who begged for life, offering his new shoes and promising never to tell.[61]

The bands of murderers also shared much common ground with witches, from the scale of their destruction to their use of magic, their allegiance to the Devil, and their attacks on generation. The abuse of fetuses could aid in committing crimes, as with the "thieves' candles" or invisibility, but it also could sound remarkably like more ordinary witchcraft. One member of a Moravian band in 1603 had killed five pregnant women

> Whom he disemboweled alive;
> The fruit from them he took
> And used to do his sorcery.
> Both beasts and people many he
> Has thereby done to death.[62]

Witches too were especially dangerous to reproduction. Their well-known activities of causing impotence and stillbirths and killing infants and children were described in topical accounts, as well as in treatises and confessions. They caused other destruction also: storms that destroyed the fruitfulness of the earth and miscellaneous damage to people and cattle. Still, the danger to generation bulked especially large, as pamphlets enumerated the infants and young mothers killed by witch midwives. By one account, the thirty-eight witches found near Waldkirchen in 1583 included two midwives. One had killed nineteen infants and three mothers; the other, seven children and five mothers.[63] Another account lists four midwives among these same thirty-eight witches near Waldkirchen, carefully identifying the totals for each: the first, a peasant's wife, nineteen children and three mothers; the second, a smith's wife, nine children and four mothers; the third, a miller's wife, also nine children and four mothers; and the fourth, a tailoress (*Schneyderin*), four children and eight mothers.[64] Similarly, among the thirty-six witches around Cologne were two well-respected midwives who had been killing children with their witchcraft for twenty-three years.[65] Another witch, the "old Fritzinne" of Dillingen, had been the Devil's mistress for twenty-three years, causing storms and much other damage. She had also poisoned small children, killed fetuses in their mothers' wombs, stolen infants from sleeping new mothers, and even driven new mothers out of their senses so that they killed their children themselves.[66] Even the raising of storms could be related to special danger to the tender young. An account from 1583 about a terrible storm caused by witches in Mumpelgard attributes tears and regret to the witch entrusted with the pouring out of the storm-causing potion. She explained that "she only regretted the little children and the innocent blood that must perish because of this storm." But she brought herself to pour half of it, causing huge destruction.[67]

The combination of household killers, robber bands, and witches constructed a strong cultural image of danger to the reproductive realm in the discourse of printed crime accounts. If Pauli and the prodigal son represent a continuing substrate of concern with intergenerational tensions, the fear of violence attacking families from within and without intensified in response to economic strain. In the process, variants on the prodigal son theme moved away from hints of crime into actual family murders. Two examples from different genres show how elements could travel among real-life crime accounts, fiction and folklore. The first, the legend of the *Mordeltern* (murderous parents), has roots in this period but migrated into later folklore. The second, a twisted prodigal-son drama by Heinrich Julius von Braunschweig, takes familial destruction to the most extreme length. Both show fluid crossing between real-life crime accounts and works of the imagination.

An early version of the murderous-parent motif appears in another story by Georg Wickram, from his novel *The Good and Bad Neighbors.* Here the parents try to murder a guest for his money, unwittingly killing their own son. Wickram's version is remote from the prodigal son, but later treatments harked back to the biblical element of straying and return.[68] In Wickram's telling, the story is not one of intergenerational conflict: the killer has no intention of harming his child. In fact, he has plotted to get his son safely out of the way, but his plan goes fatally awry. The hero Lasarus, the intended victim, shares a bedroom with the son. Warned by a sympathetic maid, Lasarus spends the night elsewhere while the son unexpectedly returns. The innkeeper kills his son and throws the body in the sea. Only in the morning, when he sees the still-living Lasarus, does he realize the truth. Struck with horror, he drowns himself in the same spot where he disposed of his son's body.

In Wickram's novel, this is merely the hero's last and most dangerous adventure before he goes home to marry and live happily ever after, in a joint and harmonious household with his parents and in-laws. In the murderous-parents legend, however, familial disaster becomes the heart of the story. There are many variants, but the basic outlines join elements of the prodigal-son story with the evil-innkeeper motif—another theme found in a number of early modern crime reports.[69] Typically, the victim is a long-lost son, whom the parents fail to recognize when he comes to their inn to stay overnight. They covet his money and murder him, then discover his identity and kill themselves in remorse and despair.

The murderous-parents stories were exceptionally popular, with roots in the seventeenth century and an extensive flowering in eighteenth- and nineteenth-century folklore. As the standard scholarly edition of German folksong notes, "There is hardly a theme that was so often set into song; in the overview we have just presented alone there are no fewer than nine different singable rhymes from different periods. And there were a practically uncountable number of popular accounts in prose."[70] The earliest versions of the story claim to recount actual events of 1618, but despite circumstantial details attributed to Leipzig, no traces appear in local records. Various later versions were cast as news accounts, transferring the events to other places in the following centuries.[71] It seems likely, as the editors suggest, that the tale was an invention; perhaps it was even inspired by Wickram's story. More important than filiation, however, is the stories' cultural resonance. Folklore always poses a challenge for historians, as its seemingly timeless repetition of stories loses focus on time and place.[72] Yet the passage into legend bespeaks a lively reception of telling and retelling. Even more than publication of a single narrative in multiple editions, it shows a deep and wide response. The story of the murderous parents acquired different inflections as it moved through the centuries, but it was forged in the early modern crucible of familial anxiety.

The most grotesque of family murders belonged to fiction, but with close kinship to the scenarios of crime journalism, as well as to the prodigal-son theme. In addition to his activities as a prince, Heinrich Julius of Braunschweig cultivated the arts and particularly drama, inviting English players to his court in the 1590s. He wrote a number of plays himself, including comedy as well as tragedy and showing the influence of the English dramatists' taste for gore and mutilation. But the forms of violence he chose for his play *The Degenerate Son* of 1594 echo themes widely spread in German crime reports, showing their far-flung cultural migration.[73]

Like the prodigal-son story, Heinrich Julius's play features a family in which one son behaves properly and the other rebels. But while Wickram had merely toyed with a descent into crime, this version goes all the way. The antihero, aptly named Nero to contrast with his virtuous brother Probus, begins with disobedience and goes on to murder his entire family. Like many unruly offspring of crime lore, he is greedy for inheritance. Cut off when his father designated his estate for the upright elder son, Nero soon finds advice on how to gain strength for bloodshed and revenge: he must devour the heart of a child. Nero kills his own illegitimate son in a scene reminiscent of other depictions of child victims: the boy pleads for his life and invokes the loyalty he owes to his flesh and blood. Nevertheless, Nero roasts his heart and pours the blood into his wine. Having consumed this ghastly feast, he goes on to destroy all his kin, ignoring their pleas: father, mother, brother, nephew, and the sister-in-law pregnant with his brother's child. Although he succeeds in his evil aims, the play visits him with spiritual and supernatural retribution; visions of the victims' ghosts torment him until demons carry him off in the end. Elements tied to the polluting and grotesque magic of murderous bands here join with both a hint of the prodigal and the now familiar features of familial murder, from multiple killings across generations to the focus on the pleas of victims and the special vulnerability of children.[74]

From the earlier literary moralism of prodigal-son tales to Heinrich Julius's extravaganza of family destruction, one can trace an evolving cultural model that was influenced by real-life crime but also placed events within its own frame of reference. In the biting of the nose and in Wickram's prodigal, familial continuity and honor from one generation to the next are at risk unless ensured by proper moral discipline. This was the quintessential domain of fathers as prescribed in the growing genre of *Hausvater* (Housefather) manuals and in religious reformers' conception of the godly household.[75] It could fail because of either inadequate fathers or doting mamas who undermined their husbands' efforts—and this was in families of respectable status. Though the danger was primarily moral, one can already find signs of physical threat—the nose mutilation that shatters identity, the death of Wilbald's mother. In household murders, of course, the threat moves decidedly into the realm of bodies, flesh and blood.

Gendered elements appear both in the conceptions of specific features associated with the sexes and in larger symbolic associations. The stereotype of the indulgent mother contrasts with the presumed character of men's rational discipline, upright and unbending. The uniquely vulnerable female body, violated so egregiously in the scenes of disembowelment, evokes a special pathos. In susceptibility to the Devil's snares, however, the sexes appear more equal than from some other perspectives, as male murder bands vie with witches in depravity. Male familial attackers are more numerous, but the female just as sinful. In more abstract terms, failure of the family is implicitly a failure of masculinity, as the Housefather is entrusted with godly and rational rule and the transmission of these values to the next generation. The brute physicality of familial bloodshed is not only a loss of rational self-control but also a descent into a fleshly realm with associations the opposite of manly.[76] The cultural field of the grotesque, populated with permeable and changeable bodies, evokes both the female and the shattering of gender categories, the demonic and the obscene.[77] In the horrors of familial bodies as partible and bloody, awash with the polluting fluid of generation, it is tempting to see a symbolic perversion of birth. These were attacks on the female realm of bodily fertility, less direct than the disemboweling of pregnant women but equally horrifying. They were also attacks on the foundations of social identity. If the noseless parent lost individual identity, the damage here extended to the whole household and posed a challenge for the community to absorb. As John Jeffries Martin has suggested in relation to images of the flayed body, anxieties about physical damage could connect with the sense that the self was unstable—open to spiritual intrusion from the Devil and embodied in a penetrable skin.[78] Both instabilities here threatened not just individuals but social existence.

One can trace another shift as well. Cultural conceptions of danger to vulnerable children were nothing new, with such danger usually posed by outsiders. The best-known of child killings, the imaginary ritual murder of Christian children by Jews, reached a height in the first half of the sixteenth century and continued to raise scattered fears thereafter. These were attacks from a group conceived as malicious enemies of all Christians. They were scary, of course, but they operated by spiriting children away, not by invading Christian domestic space. In the complex of threats to family and reproduction late in the century, the situation became far more complicated. Aggressors were no longer so easy to identify, as the assault on tender youth was as likely to come from close relations. If the murderous bands fit the model of cruel social outsiders, the family killers were enemies at the heart of social existence, in the household itself. Witches shared elements of both and perhaps represented the worst of both worlds: unlike the equally devilish murder bands, they masqueraded as integrated members of the community while secretly bent on intimate destruction.

As Lyndal Roper has shown so tellingly, fears about the fragility of reproduction were central to witchcraft fantasies. By the sixteenth century, northwestern Europe's distinctive marriage pattern, marked by delayed marriage for both sexes and substantial numbers who never married at all, contrasted sharply with most peasant societies. Historians have suggested links between this demographic pattern and a range of distinctive developments of modern Europe, from individualism to companionate marriage.[79] In Roper's analysis, psychological stress over the scarcity value of fertile marriages fueled fears of witches' attacks on children and reproduction. These fears encouraged the attribution of malice to old women past reproductive age, especially those entrusted with the care of infants and young mothers. In the hard years of the late sixteenth and early seventeenth centuries, such underlying demographic and psychological conditions shaped people's responses to economic strain.

The brutal economic conditions of the late sixteenth century clearly placed more pressure on households than some could bear. Population growth and inflation across the century were pushing real wages toward a low point around 1600. Meanwhile, the half-century from 1570 to 1630 brought to a height the persistent harsh weather of the Little Ice Age, provoking harvest failures and subsistence crises.[80] Crime accounts point to this strain, with hungry children posing a constant reminder of want, grasping youths panting after inheritances, money troubles provoking violent quarrels. These pressures interacted with the increased focus in post-Reformation thinking on the Christian household as the central anchor of both social and religious order. Reformers pushed for greater authority of elders, with increasing requirements of parental consent for marriage and laws against "clandestine" marriages, in which irresponsible youth might form bonds on their own.[81] But the worsening economic landscape tended to undermine parents' ability to back their authority with real economic power. Such tension between prescription and reality could fuel intergenerational conflict, along with more basic fears about how families could survive.

Responses to economic pressure were not automatic, but were marked by distinctive cultural orientation and ascriptions of meaning. Families already faced risk in the transition between generations in Pauli's day. Reformation and social change raised the stakes, in ways that suggested ever-stronger links between such everyday dangers as the chances of bad harvest, hunger, or violence, on the one hand, and unseen forces, on the other. In the vulnerability of individuals to the Devil's incursions, as in the larger-scale conspiracies of murderers and witches, crime literature conveyed a sense of human relations, even the closest or perhaps especially the closest, as poignantly fragile.

Training the Imagination

Crime and the Inner Life

6

Early modern people were very aware of the imagination and its uses. In a recent article on the imagination and witchcraft, Lyndal Roper quotes a definition from that infamous yet influential witch hunting manual, the *Malleus Maleficarum:* "Fancy or imagination is as it were the treasury of ideas received through the senses. And through this it happens that devils so stir up the inner perceptions, that is the power of conserving images, that they appear to be a new impression at that moment received from exterior things."[1] Traditionally seen as a part of the soul distinct from the intellect, the imagination was not necessarily under rational control. Thus it could be abused by the Devil to create illusions. But the imagination also included the whole "treasury of ideas" gained through experience. It could be used in service of the true as well as the false.[2]

Of course, the imagination was not new in the early modern era. Aristotle allotted it an essential role in cognition, as did Thomas Aquinas in his wake. All narratives require its use in the reconstruction of events, and I have even argued for its role in the assimilation of law codes. What was new or different about the crime narratives now retailed to the public of print? The new technology offered unprecedented means of cultural orchestration, encouraging people to imagine and respond in particular ways. Reading, viewing, and hearing in the world of print were not merely ways to obtain information. They were also modes of shared experience.[3] This is not to claim that people automatically reacted as authors and purveyors hoped. Obviously, the inner responses of most readers and hearers have left no trace. Even the prodigious collector Johann Wick leaves us guessing about his feelings. To take another example, the seventeenth-century pupil with the bound volume of crime accounts and other pamphlets (discussed in the introduction): we have no way to know whether he really took the crime stories to heart—whether he read them with emotive engagement and applied them to his own moral life. We do know, however, that he was urged to do so.

Thus the available evidence enables us to look at what was asked of readers, and in particular at patterns that became conventional and repeated. Clichés, like stereotypes, emerge not at random but because they express widely held perceptions and are found by many to be effective means of communication, however lacking in nuance and flexibility. Audiences were encouraged to reimagine both crime and punishment and to respond emotionally. Because the crimes recounted were the most heinous and violated the most deeply held norms, authors could likely count on at least some visceral response. They also enhanced it through vivid reconstruction of scenes, cultivation of empathy with victims, and underlining of horror. The demand for empathy posed common feeling as both a natural human response and a virtuous Christian one, while acknowledging only a limited range of feeling as genuine and appropriate. The emotive reaction served implicitly to endorse such associated messages as the need for deference to authority and proper discipline of children. Imagining of the inner experience of the criminal, however, was rarer and more ambiguous, suggesting a fraught conception of individuality and its social implications.

I have pointed out that the translation into printed communication subtly shifted the public portrayal of crime. At the public execution, the crime was present by reference—in the reading of the official confession or in punishments calibrated to the degree of guilt—but there was far less need for imagination. There could be emotional response to the punishment and perhaps imagining of its sensations, but the main focus was on direct witnessing. Audiences might be encouraged, as they were by Pastor Salomon Roth, to read in the actions of criminal justice a miniature of God's eternal judgment—an imaginative element, to be sure, but an abstract one that led away from earthly experience.[4] By parsing the gruesomeness of punishment in terms of God's abhorrence of sin, this viewpoint encouraged a move away from the specifics of blood, bone, and sensation, toward a more disembodied contemplation. In the reception of print, by contrast, crime and punishment were both equally remote, reconstructed in the minds of readers and hearers. The imagination was called on to move from abstract to concrete—from a representation on paper to the bodily realities no longer physically present.

Although crime accounts conveyed information—dates, places, names, events—the mere relaying of facts was not the central point. In selecting and publicizing the most appalling of crimes, purveyors were spreading states of feeling—principally horror, fear, and pity. As we have already seen, titles provided the most basic of cues, advertising emotional content with such adjectives as frightful, pitiful, lamentable, and dreadful. Equally central to the functioning of crime texts was their claim to truth, also regularly emphasized in titles. These events were not to be taken lightly like fiction; instead, authors persistently urged that they be taken to heart. The demand that people feel deeply in response to these reports aligned the texts closely with religious discourse, in which people were to be moved by truth to religious feeling. The proper reception of truths about crime would lead not just to prudential responses such as locking one's doors, but rather to inner change. The author of a 1582 pamphlet dealing with both disasters and crime explicitly invoked truth as central to emotional response and to the value of the retelling: "My dearest reader, this is unfortunately, may God have mercy, one piece of horrifying news after another, . . . so that my heart nearly breaks and my eyes fill with tears. I don't know how it seems to you, for there are many who will refuse to believe, since it does not affect them and appears to be false and invented."[5] If they did not recognize the report as truth, people would withhold their tears of sympathy and fail to perceive the signs of God's wrath. But if the author succeeded at his difficult task, he and his audience would share in tears, the bodily sign of genuine inner response.

Other authors too referred to their own emotional difficulty and expected readers to share it, especially in cases of familial murder. I quoted in an earlier chapter the author of a 1589 broadside about Hans Altweckher's killing of his wife and four children, commenting on the need for authors to overcome their own feelings to describe terrible crimes: "But because of great grief and sorrow, and even more from natural human horror, no writer can easily accomplish this."[6] He persevered nevertheless, in the hope that people would be shaken from their complacency, take the contents to heart, and turn to repentance. Similarly, the author of a broadside from 1616 about another set of familial killings expresses hesitancy in approaching description of the events:

> I come now to the start of it.
> My heart within me quaking,
> My feelings low,
> My heart most sore,
> My eyes their flow are making,
> Because of the most dreadful act

> That this man did when he attacked
> At once his wife and children.[7]

Many pieces offered religious rationales for their appeals to sensation, but even without religious content, reports were graphic and insisted that the audience fully envision the grimmest of events. Of course, the reimagining of crime scenes for publication was also a form of entertainment, however horrifying. Some authors may have been motivated by piety to overcome their qualms, but this was likely not the chief driver of sales. It certainly was not the main concern of printers. Even the pious collection of Johann Wick had an element of voyeuristic pleasure combined with its moral goals (see chapter 3).

Modes of portrayal heightened the intensity of vicarious experience, both in images and in text. Pictures struck viewers even before or instead of reading and could be a key contributor to the pleasure involved in consuming these painful stories. Pamphlets were often unadorned, but broadsides nearly always displayed the execution and frequently the crime scene also. Images of execution had many repetitive features, such as the kneeling sinner waiting for the executioner's sword to strike or the display of bodies mounted on wheels. But since the crimes publicized were the worst, there were often additional elements coded to reflect the heinous deeds, and these were often scrupulously recorded in pictures as well as text. Images sought to re-create the experience of *Abschreckung* (deterrence, but literally "scaring off") entailed in witnessing such aggravated penalties as tearings with red-hot pincers, dragging, breaking with the wheel, and public display of the unburied body. Punishment frequently took precedence over the crime scene, as it did in the execution spectacle itself. When Christoff Windt killed his noble master in Halle in 1572, a series of five panels detailed the case, four of them devoted to his elaborate punishment for the treasonous murder of his superior.[8] The crime is disposed of in a single panel showing two stages: Windt raises a hammer to strike the unsuspecting victim from behind and then, through a doorway, is seen disposing of the body. In the other panels, he appears chained, drawn in a cart with hot pincers tearing his bare breast, tied to a grating and broken with the wheel, dragged behind a horse, and finally displayed on the raised wheel. This portrayal was more elaborate than most, but such precision in depicting punishment was not unusual. Occasionally printers were less careful about directly

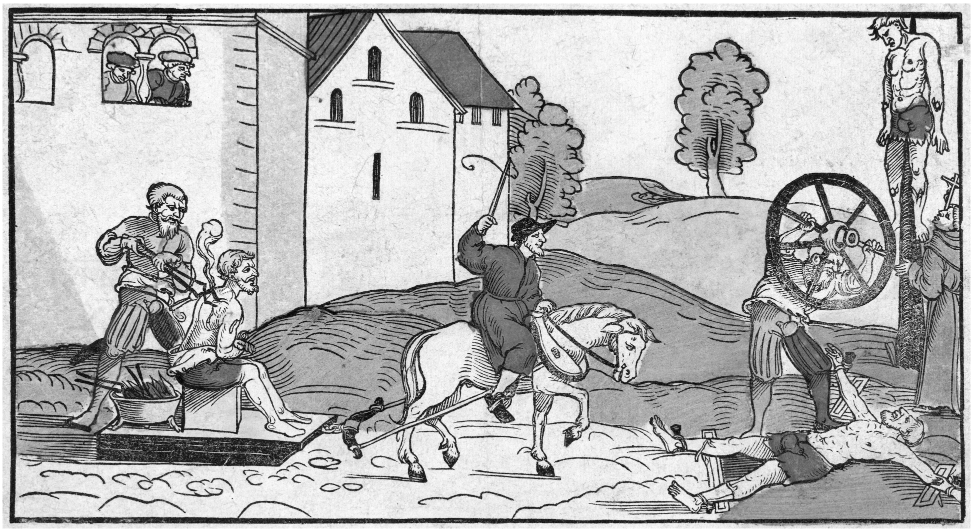


Figure 8. Execution of Hans Reichart Glaser. (*Anno XXXIII / am freytag noch Sonntag Judica / hat Hans Reichart Glaser von Dietfurt / Bürger allhie zu Regenspurg / an peynlicher frag / Nachmals auch gütlich bedendt / Wie hernach volgt* [Regensburg, 1534], courtesy of Graphische Sammlung und Fotoarchiv, Zentralbibliothek Zürich)

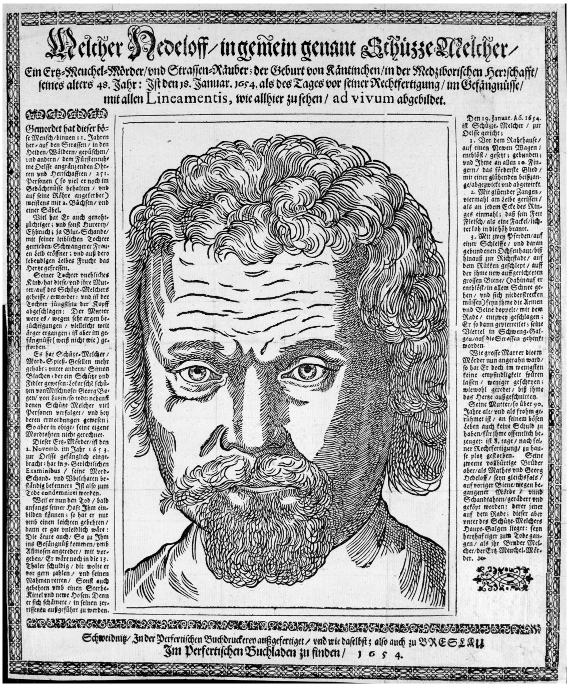
appropriate illustration, although the images could be quite graphic. A pamphlet account of the family murderer Blasi Endres shows the condemned at the stake being eviscerated alive, then, in the second panel after death, being hacked apart with knife and hatchet, his head and entrails already gone.[9] According to the text, however, Endres was actually punished with hot pincers, amputation of the right hand, breaking with the wheel, and spitting.

Even when the execution was confined to a single woodcut panel, different stages of punishment were often depicted in different portions of the frame. Thus the broadside illustration of Hans Reichart's execution in 1534 shows him dragged on a hurdle as the executioner applies hot pincers, complete with a curl of smoke. At the panel's right, he is tied down and broken with the wheel, then raised high on a spit after death (figure 8).[10]

In portraying crime scenes, artists sometimes added visual prompts toward sympathy for victims. Thus depictions of Paul Schumacher's Basel victim, Sara Falkeisen, show her with arms outstretched in token of distress or plea, as he cuts her throat and blood gushes to the floor (see figure 3). A similar gesture appears in the Augsburg broadside on Blasi

Endres: the father leans over the cradle about to strike as another child raises pleading hands (see figure 4). Or again, the title image of a pamphlet on the murder of Johann Schwanfelder's family shows Ammelein Schwanfelder kneeling with her arms extended, one as if protectively over the child already struck down, the other reaching in resistance toward the killer who stands over her (see figure 7).[11] Postures of unsuspecting innocence—particularly lying in bed asleep, in a number of family killings—underline the unprovoked character of attacks. Thus, the pictures reinforce the invitation to reimagine the feelings of victims.

For all the sympathy directed toward victims, however, there appears to have been less tendency to personalize images of them than occasionally happened with portrayals of perpetrators. The vast majority of images, whether of killers or victims, presented more or less generic figures whose identity was signaled mainly by dress and posture, or perhaps a beard, as distinguishing characteristics. In a few cases, though, artists de-



Melcher Hedeloff / in gemein genant Schüzze-Melcher /
Ein Ertz-Meuchel-Mörder / vnd Straſſen-Räuber; der Geburt von Käntinchen / in der Medziboriſchen Herꝛſchafft /
ſeines alters 48. Jahr: Iſt den 18. Januar. 1654. als des Tages vor ſeiner Rechtfertigung / im Gefängnüſſe /
mit allen Lineamentis, wie allhier zu ſehen / ad vivum abgebildet.

Gemordet hat dieſer böſe Menſch / binnen 11. Jahren her / auf den Straſſen / in den Heiden / Wäldern / gepüſchen / vnd andern / dem Fürſtentuhme Oelſſe angränzenden Ohrten vnd Herꝛſchafften / 251. Perſonen (ſo viel er noch im Gedächtnüſſe behalten / vnd auf ſeine Röhre angekerbet) meiſtens mit 2. Büchſen / vnd einer Säbel.

Viel hat Er auch genohtzüchtiget; vnd ſonſt Hurerey / Ehbruch; ja Blut-Schande / mit ſeiner leiblichen Tochter getrieben: Schwangerer Frauen Leib eröffnet; vnd auß dero lebendigen Leibes Frucht das Hertze gefreſſen.

Seiner Tochter vnehliches Kind / hat dieſe / vnd ihre Mutter / auf des Schütze-Melchers geheiſſe / ermordet: vnd iſt der Tochter jüngſthin der Kopff abgeſchlagen: Der Mutter were es / wegen ſehr argen bezüchtigungen / vielleicht weit ärger ergangen; iſt aber im gefängnüſſe (weiß nicht wie) geſtorben.

Es hat Schütze-Melcher / Mord-Spieß-Geſellen mehr gehabt; vnter andern: Simon Blachen / der ein Schütze vnd Fidler geweſen: Lokarſchē ſchützen von Miſchnoſe: Georg Bogen / von Lutzin / ſo todt: nebenſt denen Schütze-Melcher viel Perſonen verfolget / vnd bey deren ermordungen geweſen; So aber in obige / ſeine eigene Mordtahten nicht gerechnet.

Dieſer Ertz-Mörder / iſt den 2. Novemb. im Jahr 1653. zur Oelſſe gefänglich eingebracht: hat in 9. Gerichtlichen Examinibus / ſeine Mord- Schand- vnd Vbelthaten beſtändig bekennet: Iſt alſo zum Tode condemniret worden.

Weil er nun den Tod / bald anfangs ſeiner Haft Jhm einbilden können; ſo hat er nur vmb einen leichten gebehten / dann er gar vnleidlich wäre: Die Leute auch / So zu Jhm ins Gefängnüß kommen / vmb Allmoſen angeredet / mit vorgeben / Er wäre noch in die 13. Thaler ſchuldig / die wolte er vor gern zahlen / vnd ſeinen Nahmen retten / Sonſt auch gebehten vmb einen Sterbe-Kittel vnd newe Hoſen; Denn er ſich ſchämete / in ſeinen zeriſſenen außgeführt zu werden.

Den 19. Januar. Aõ. 1654. iſt Schüzze-Melcher / zur Oelſſe gericht;

1. Vor dem Rahthauſe / auf einen Newen Wagen / entblöſt / geſetzt; gebunden; vnd Jhme an allen 10. Fingern / das förderſte Glied / mit einer glühenden beißzange / abgezwickt vnd abgewirkt.

2. Mit glüender Zangen / viermahl am Leibe geriſſen / als an jedem Ecke des Ringes einmahl; daß ſein Fett Fleiſch / als eine Fackel / lichter loh in die höh brante.

3. Mit zwey Pferden / auf einer Schleiffe / vnd daran gebundenen Ochſenhaut / biß hinauß zur Richtſtadt / auf dem Rükken geſchlept / auff der ihme new auffgerichteten groſſen Biene / (dahinauf er entblöſt / in allem Schnee gehen / vnd ſich niederſtrecken müſſen) ſeyn ihme die Armen vnd Beine doppelt / mit dem Rade / entzwey geſchlagen; Er ſo dann geviertheilet; ſeine Viertel in Schweng-Galgen / auf die Straſſen gehenkt worden.

Wie groſſe Marter dieem Mörder nun angetahn ward / ſo hat Er doch im wenigſten keine empfindligkeit ſpüren laſſen / weniger geſchryen; wiewohl geredet / biß ihme das Hertze außgeſchnitten.

Seine Mutter / ſo über 90. Jahre alt / vnd als frohm gerühmet iſt / an ſeinem böſen Leben auch keine Schuld zu haben / für ihme offentlich bezeuget: iſt 8. tage / nach ſeiner Rechtfertigung / zu hauſe plotz geſtorben. Seine zweene vollbürtige Brüder aber / als Mathes vnd Georg Hedeloff / ſeyn gleichsfals / auf voriger Biene / wegen begangener Mörde / vnnd Schandtahten / gerädert vnd geköpt worden: derer jener auf dem Rade; dieſer aber vnter des Schütze-Melchers Haupt-Galgen lieget: ſeyn hertzhaftiger zum Tode gangen / als ihr Bruder Melcher / der Ertz-Meuchel-Mörder. &c.

Schweidnitz / In der Perfertiſchen Buchdruckerey außgefertiget / vnd wie daſelbſt; alſo auch zu BRESLAU
Im Perfertiſchen Buchladen zu finden / 1654.

Figure 9. The face of the arch-killer Melcher Hedeloff. (*Melcher Hedeloff / in gemein genant Schüzze Melcher / Ein Ertz-Meuchel-Mörder / vnd Strassen-Räuber* [Schweidnitz, 1654], courtesy of Herzog August Bibliothek, Wolfenbüttel, Sig. IQ 100)

voted close attention to facial features of the criminal. As early as 1542, the perpetrator of an especially appalling murder—involving the rape and dismemberment of a five-year-old girl—not only was displayed with distinctive features on broadsides, but also figured in a separate full-face portrait.[12] Such visual prominence was extraordinary for an age in which portraiture was a rarity, normally reserved for the wealthy and praiseworthy. Another image of a criminal face was featured on the broadside of the Brandenburg court Jew Lippold in 1573, and a larger facial study appeared on a broadside image of the "arch-murderer" Melcher Hedeloff in 1654 (figure 9).[13] Such images, though rare, mirror the paradox of criminal justice's focus on the individual. They suggest moments of departure from the common theological assumption that killers were ordinary sinners who had shown inadequate vigilance against the Devil. Instead, the images suggest distinctively evil faces—a notion applied

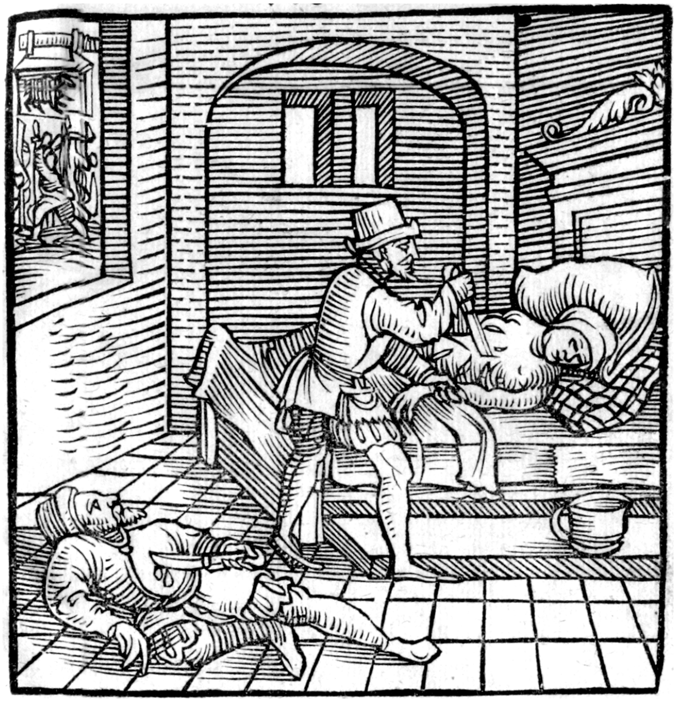
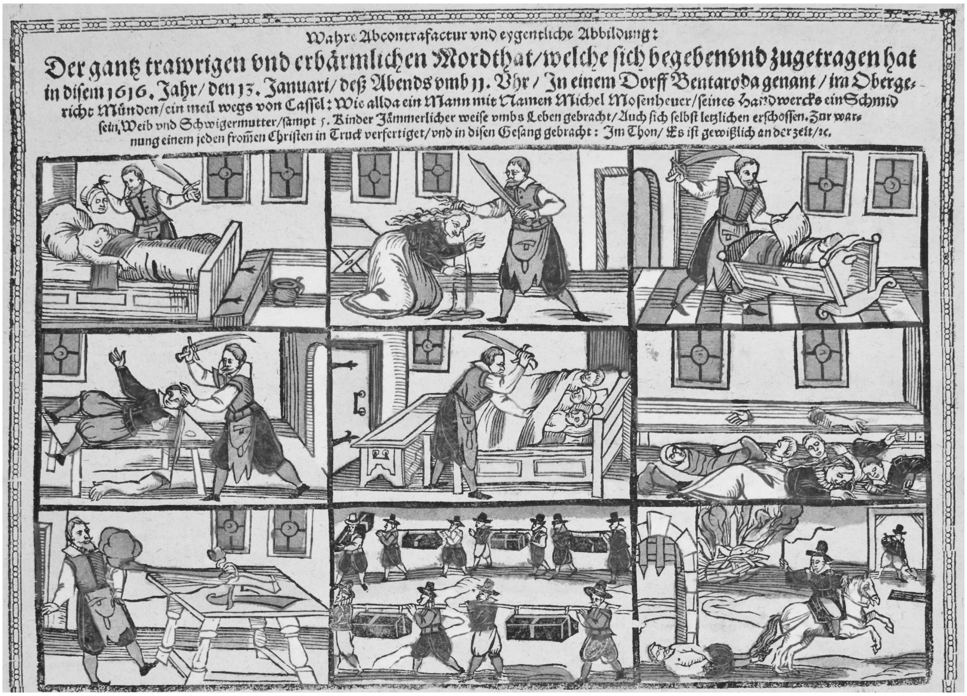


Figure 10. **Jacob Müller stabs his sleeping wife and then himself.** (Heinrich Wirri, *Ein Wunnderbarliche erschrockenliche Warhafftige geschicht / so geschehen ist in ainer Statt / gelegen inn dem Elseß / genandt Rychenwyler von ainem Burger der sich selbs / vnd sein Weib auch Kind inn Mutter Leib ermördt hat / wie dann dise figur anzaigt* [n.p., 1553], Sig. Res/4 Crim. 141.5, courtesy of Bayerische Staatsbibliothek München)



Wahre Abcontrafactur vnd eygentliche Abbildung:
Der gantz trawrigen vnd erbärmlichen Mordthat/welche ſich begeben vnd zugetragen hat
in diſem 1616. Jahr/den 13. Januari/deß Abends vmb 11. Vhr/In einem Dorff Bentaroda genant/im Oberge-
richt Münden/ein meil wegs von Caſſel: Wie allda ein Mann mit Namen Michel Moſenheuer/ſeines Handwercks ein Schmid
ſein, Weib vnd Schwigermutter/ſampt 5. Kinder Jämmerlicher weiſe vmbs Leben gebracht/Auch ſich ſelbſt letzlichen erſchoſſen. Zur war-
nung einem jeden from̄en Chriſten in Truck verfertiget/vnd in diſen Geſang gebracht: Im Thon/Es iſt gewißlich an der zeit/ꝛc.

Figure 11. Michel Mosentheuer kills his family. (*Wahre Abcontrafactur vnd eygentliche Abbildung: Der gantz trawrigen vnd erbärmlichen Mordthat* [Augsburg, 1616], **courtesy of Herzog August Bibliothek, Wolfenbüttel, Sig. 38.25 Aug. 2**)

here to very few, although it later contributed to nineteenth-century attempts to identify "criminal types."

Images of crimes, as well as of executions, were explicit in their depiction of bodily damage. For a murder in which a man killed his wife with six stab wounds, the picture shows him in the act of stabbing, with multiple wounds visible on her breast and trunk (see figure 10).[14] The nine broadside panels on Michel Mosentheuer's killing of his family in 1616 show his bloody treatment of each victim, starting with an image of him holding the severed head of his wife (figure 11). Further panels follow each step of the mayhem, with plentiful flows of blood and dismemberment of bodies. The text prompts readers to both perusal of images and emotional response, recounting how the pitiless father killed "his dearest son," hacking off his right arm and delivering three gruesome wounds to his head, "So that one's heart might break in two / At this most dreadful story, / As you may see here shown."[15] The most repellent details could be reproduced in images. A broadside from 1570 on the arch-murderers Martin Farkass and Paul Wasansky shows a woman lying disemboweled with the fetus next to her, as above her a man with a knife puts something into his mouth—illustrating the criminals' eating of fetal hearts.[16] Artists also did not shrink from clinical exactitude in cases of mutilation and dismemberment. Two separate accounts of a case of rape and murder in 1573 showed the killer hacking the victim's body into sixteen parts, along with a diagram showing the pieces reconstructed like a jigsaw puzzle.[17] Equally graphic were their renditions of the victim's head—so badly disfigured that authorities could not identify

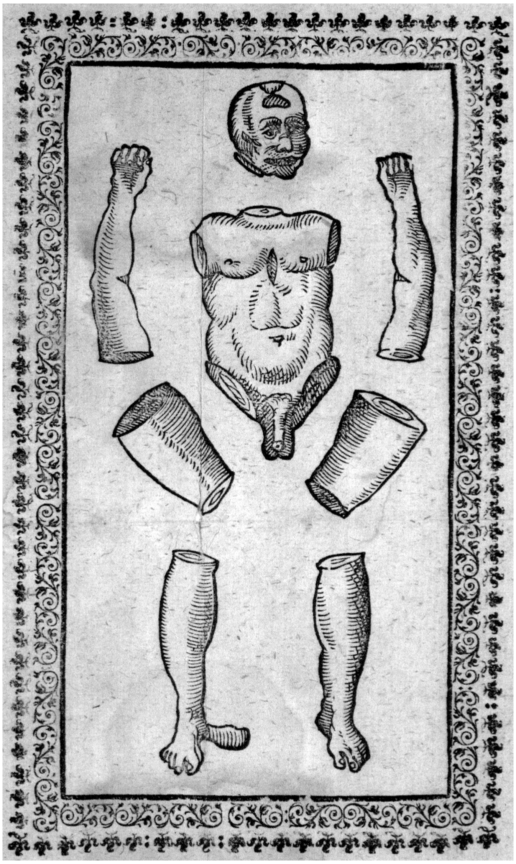


Figure 12. Parts diagram from a broadside on the murder of Jacob Spohr. (*Abbildung des erschrecklichen abschewlichen vnd erbermlichen Mords / Welcher zu Hall in Sachsen in der Stadt begangen worden an Jacob Spohr* [Leipzig, 1605], Sig. Einbl. V.7 k, courtesy of Bayerische Staatsbibliothek München)

her until they reassembled the body. When the jeweler Jacob Spohr was murdered and dismembered in Halle in 1605, a similar reconstructive diagram appeared (figure 12).[18]

In both pictures and text, the body appears in crime publications as supremely vulnerable, constantly violated, and not neatly but messily. There was no squeamishness or hiding of the unseemly—or rather, such feelings where they existed were overcome in order to expose the full truth, including the physical effects of evil. Even an author who expressed some reticence was willing to describe extremes. The "distinguished person" from Wangen who wrote about Blasi Endres states that in killing the two maids, he "wounded them so gruesomely that it cannot be described." Yet he recounts how Endres later killed his two youngest children, "whose necks he forced around; when they were found in the morning, their faces were turned backwards."[19] One would rather not think what he did to the maids, but the reader is hardly spared specifics of ghastliness.

Such extremes of violation underline the horror and emphasize the fragility of order. No boundary is sacred in such scenes of chaos. In cultural terms, these bodily horrors can perhaps be seen as an obverse of the carnival physicality analyzed by Mikhail Bakhtin. In place of laughter and celebration of the lower parts of the body, with spewing of vomit, semen, or sweat to the noise of raucous laughter, there is violation, blood, and mutilation, to the sound of screaming. The overturning of order similarly appears in grotesque bodily images, but here it is scarifying rather than cathartic, potentially rousing strong feeling for the restoration of order and hierarchy.[20]

In parallel to graphic images, the narratives of crime could encourage a vivid reimagining of the sequence of events. The many accounts of multiple killings frequently follow the action in vivid detail. Burkard Waldis's account of the mother's killing of her four children in 1551 builds suspense despite the reader's foreknowledge of the murders, dramatizing her pursuit of each child, the victims' attempts to flee, and their pitiful pleas for life. Though some accounts were more spare, many similarly heightened the imagined tension, especially in household killings.[21] The killer moved inexorably from room to room; victims woke at the sound of the first killings and ran to see what was wrong, or took alarm and tried to escape. A "lamentable and pitiful new song" of 1573 tells of eleven killings by the son of a rich Danzig brewer, who quickly ran through his inheritance and attacked his guardian's family for gain.

The song follows him and his accomplice through the series of killings, commenting on their lack of pity despite the sweet pleas of the children. The maid, roused by the sounds, "arose quickly and ran out naked and bare [unarmed], for which she paid with her life."[22] In another song from 1598, a boy saw his mother kill a sibling and ran to tell his father, not knowing the father was already dead. The boy was quickly grabbed and killed in turn.[23] The dramatic structure of such accounts insists on audience sharing of the emotive impact.

Another encouragement to vicarious participation appeared in the use of direct dialogue, and even imagining of thoughts. Many reports cultivated identification with the victim. In an early report from 1519, the killer persuaded a wealthy widow that he knew where to dig for buried treasure, and she instructed her maid to help him. When he and the maid entered the stable, the murderer picked up a hoe; "then thought the maid he meant to dig," but instead he struck and killed her from behind. The author underlines the expected emotional response:

> Behind her in the neck struck he.
> Just thinking of it frightens me,
> That such a death should come to one
> Whose work in godliness was done,
> A diligent and honest maid,
> So that at every hiring day
> Her services were in demand;
> Whoever got her was well pleased.[24]

The maid's good qualities made her death especially poignant. Wolfgang Meyer's song on the 1565 Schumacher murders in Basel gave perhaps the most extensive re-creation of the victim's thoughts (see chapter 3), but he was hardly alone. Hans Altweckher's wife "didn't suspect any evil of him" when he suggested she go back to bed after caring for the animals one morning, little knowing that he would hack her and their four children to death.[25] Pity for the innocent victims was a constant emotional focus, dramatized most forcefully in the frequently stylized pleas of murdered children (see chapter 5).

Some readers may be thinking by this point: people slash their families to bits and others react with horror—what is surprising about that? Isn't this feeling in response to so-called sensationalism the most natural thing in the world? After all, these really *are* horrific crimes; the innocent victims really *are* a natural focus of sympathy and pity—and even more so given the contemporary Christian idea of sympathetic emotion as a religious good. People would hardly need training to know how to react. Of course, this is true and a reason for the wide resonance of such texts. Because the feelings evoked were seen as universal, these works could appeal to a community of feeling. They also constructed this community—in the literary sense of assuming and characterizing it, but at least to some extent in the historical sense as well, by giving a wide audience of print reason to exercise such feeling. And even though so many of these acts were horrifying in themselves, they were amplified by techniques of depiction that heightened the demand for audience imagination, identification, and feeling. At the same time, because crime texts were also about public punishment, feelings of horror, pity, and fear were not just about the inner state of each reader or hearer. The emotions were linked to other things, most obviously to structures of criminal justice defined and depicted as rational but also as endorsed by public feeling.

For all their emotional focus, printed crime reports also drew on the rational scheme propounded in the Carolina and embodied in punishment. While they emphasize the feelings of victims and the surrounding community, their depiction of government authorities has a different inflection. The "honorable and most wise" councils of each locality step in regularly to take vigorous and effective action. Not their emotion but their efficiency and vigilance commend them to the gratitude and loyalty of those affected by crime. And, of course, in the discourse of print, everyone is affected by crime, no matter how distant, if it is heinous enough to appall the heart. Crime texts as a body tend to cast the public as emotive responders and government as the rational. Although these depictions were humble adjuncts of "state building," they projected a powerful sense of heartfelt need—for the protection of deeply held values—and authoritative response, both rational and godlike.

Given the predominant focus on crimes against vulnerable innocents and the most extreme violence, there was little doubt about how the audience ought to feel in relation to victims. Orientation toward the perpetrators was more complex and ambiguous, as it was in criminal justice itself. The intensive effort devoted to extraction of a confession highlights a well-known paradox: the criminal, in one sense a pariah who had left the pale of normal society, was yet someone whose words mattered. His or her deeds and even thoughts were important, as they led to a need for concerted public action. Authorities were intent on obtaining a legal confession and, later, a penitent acknowledgment of the justice of punishment. This was essential to the "good end," with its assurance that only the truly guilty were punished and that governmental authority was a true representative of divine law on earth. Though powerless in the hands of physical tormentors, the confessing criminal acquired a voice that was both self-representative (however coerced and constrained) and public. The ambiguity was intensified by the religious associations of the criminal's final suffering, which paralleled that of Christ and the martyrs. If undergone in the proper penitent spirit, it was thought to bode well for his soul. All this made the criminal a potential focus of mixed emotions: horror and even disgust at the actions, pity for the torments.

The inherent individualized focus of criminal justice thus made the criminal the chief actor, but an actor restricted to an essentially passive role in the drama of punishment. In place of the uncontrolled disorder of the individual's transgression, rituals of execution made him the object of a scripted violence. If the crime could perhaps be seen as unbridled individual action, punishment reduced all to the uniform mode of the "poor sinner." Most crime reports replicated this implied suppression of criminal agency, retaining a strong focus on punishment. Although the transition into print magnified the role of the crime itself, reports usually avoided extended imaginative focus on the criminal. As if uncomfortable with fixing close attention on those who committed such evil deeds, authors were more likely to dwell on the experience of victims. The words of victims at the crime scene are quoted far more often than those of killers. Even when they depicted the moment of violent action or decisions that led to it, authors frequently interpreted these not as free actions but as evidence of having fallen under the Devil's sway. The criminal acted willfully and wrongly, but also in obedience to Satan.

Thus even in their wildest actions perpetrators could appear as passive, their violence not an exertion of power but rather a loss of it. In an early item that gives unusual attention to the culprit's bad character, "he never had control over himself."[26] In the case of Christoff Bihl, he had been married eighteen years and "had never done any evil, until at last he was caught by the Devil's rope." He took to drinking and gambling and ultimately killed his nine children.[27] The murderous mother in Burkard Waldis's pamphlet similarly lacked full self-determination: "The Devil's art controlled her will."[28] In the case of Blasi Endres, "The Devil had completely taken over and possessed the father, so that he did not spare even his own flesh and blood."[29] Many were similarly taken over by the Devil, with a similar loss of control. Although authors often noted a prior pattern of sin, such as cursing, neglecting work, excessive drinking, or gambling, most did little probing of the killer's character. Not distinctive individual qualities but the general vulnerability to sin and tireless activity of the Devil provided the main explanations. Warnings to the public emphasized the need for God's protection to keep the Devil from dragging them down, as he had the criminal. In other cases, authors described events without attention to motive, as in the report on Christian Nockel, who killed his parents and sister in 1593. The broadside account gives no explanation for the actions of this "desperate knave."[30] Authors frequently used language that devalued or denied the interiority of malefactors. Though active in their violence, they were null within, their normal feeling dead. They acted "as if all natural inborn blood loyalty had been extinguished in [them],"[31] as if "nothing at all touched [their] heart[s]."[32] The performance of evil was less an expression of individual desire than an extinguishing of the self.

Nevertheless, authors regularly commented on the criminal's state of mind, if only by invoking the Devil. Satan, after all, was a psychological as well as a religious figure, the source of evil thoughts, depression, and despair. In a few cases, crime accounts offered fuller representations of the criminal's inner life. Although not typical, these instances show how the dynamics of criminal justice opened a path to imagining the subjectivity of deviant individuals. Exploring them departs from my usual practice of concentrating on the most common and repeated patterns, and I should emphasize again that these are a small minority of cases. Yet the unusual too can shed light on the larger picture, suggesting options available but seldom chosen—or, in the case of focus on the individual criminal, not often chosen until later, as the investigation of criminal character became more frequent in the eighteenth century and beyond.

Just as emotional descriptors of criminal activity could occur first in legal documents, so too could vivid reconstruction of the criminal's actions, words, and even thoughts. This is not so surprising, since the *Urgicht* was meant to be the culprit's own confession of guilt, and specifics of actions and words helped establish the legal facts. Thus in 1534, the broadside account of the execution of Hans Reichart at Regensburg was based on his official statement. Although no archival records survive, the

Urgicht is quoted in the contemporary chronicle of Leonhart Widman, in a version very similar to the broadside.[33] The account gives full particulars, including direct dialogue between murderer and victim—a level of detail that can be found in unpublicized archival cases also, as officials probed for precision.

If in the legal document such details served to establish guilt, in the printed text they invite a dramatic reimagining of the scene. The victim first speaks politely to the intruder: "Master Hans, what brings you here?" But he suddenly shifts to the familiar "du" when shot from behind: "You villain [*Du Pößwicht*], are you trying to kill me?"[34] More striking still is the way this account enters the mind of the murderer. He confessed that he had planned the murder some seven times before in the preceding days, had even loaded his gun, "but thought, 'What are you doing? Don't do it,' and so desisted, until at last unfortunately he carried it out." Similarly he had planned to kill another victim, but "remorse came over him, so that he thought, 'Oh God, what are you doing?'" and so let the opportunity pass.[35]

Such language of conscience was rare in crime accounts, and contemporary discussions usually painted the conscience as retrospective, looking back on sin to induce repentance.[36] But this was not the only work to suggest an expectation of internal dialogue and self-policing. An account printed in Görlitz in 1589 also avoided the usual tendency to flatten the inner life of perpetrators, though it told of how the three brothers Schubart had murdered their father over money *"aus Satans will."* At the time of the crime, they were heartless; the description dramatizes the physical closing off of feeling as Paul Schubart "clenches his teeth together and most grimly strikes [his father] lamentably to death with the club, without any pity."[37] Thus they acted without feeling, at the will of Satan. Five years later, however, the return home of another brother sparked an investigation and the confession of brother Michel. After this, Paul was troubled "with a bad conscience. . . . His heart overflow[ed] with grief because of what he ha[d] done, so that he [could] have no peace and [gave] himself up to prison." He too was tortured and confessed "with lamentation and belated remorse; he also remember[ed] the fatherly faith that he often showed him." The author, apparently the local pastor, expresses astonishment that three brothers could so conspire at patricide "and none of them says, 'What are we doing?'"[38] The conscience should have been on guard to prevent such an atrocity.

Possibly Paul Schubart indeed felt gnawed by conscience into surrendering, but in fact his options were quite limited once Michel had confessed (the third conspirator had died in the intervening years). Paul surely would have been arrested in any case. The reference to his belated nostalgia for fatherly care raises suspicion that these feelings are actually the author's notion of what he ought to have felt. Such ascription of proper emotion became quite common by the eighteenth century.[39] The authorial agenda in this case was explicit, announced on the title page: "Written to frighten all villainous fellows and as a warning to honest youth that they should honor and obey their parents and keep themselves from such evil deeds." The piece was also written "to the honor and pleasure of an honorable, worthy and wise Council, and to the whole Christian community of Lauben."[40] Both admonitions and description offer training in the proper emotional response to family relations, as well as to criminal violence and its punishment.

Clearly, these depictions of the criminal actor were not based on conceptions of a coherent individual exercising self-determination. Listening to the whisperings of the Devil in their premeditations, committing crimes in a state of hardhearted disconnection, or becoming possessed by the evil one, criminals were hardly exemplars of modern individualism, for all their greed and selfishness. They seem textbook cases of the "porous self" identified by John Jeffries Martin, permeable and subject to shifting influences.[41] In fact, the logic of criminal justice (like that of Christianity itself) encouraged a malleable self, able to repudiate former actions and make a good end. Culprits were often assimilated to common models that could make them seem practically interchangeable: the irresponsible husband, the grasping youth. Unlike later ideas of a distinctive criminal personality, these were mainly ordinary sinners who slipped further into the Devil's hands than others. Thus warnings often emphasized not protecting oneself from criminal violence, but guarding against temptations of the Devil that could turn the ordinary into the horrific.

But there were criminals who did not fit the obvious molds, and the structure of criminal justice also pushed toward examination of the individual. Especially in the punishment phase, there was potential to recreate a vivid, and sometimes even sympathetic, version of the criminal's experience. Even here, I should emphasize, most accounts stuck to externals, mimicking the punishment spectacle with specifics of the manner of execution, especially its extra deterrent elements such as red-hot pincers and blows with the wheel. Some went further, however. Strikingly, the most elaborate treatments of execution and the sufferer's response are in the rare pre-Reformation reports. Before Luther, the physical suffering of punitive torments was credited with redemptive value if undergone in the right willing spirit. A woodcut in the Bamberg Criminal Code of 1507 expresses this idea, showing a monk with a crucifix who addresses a man on his way to execution: "If you this pain in patience bear, / It will best serve your own welfare, / So willingly yourself prepare."[42] In Protestant thinking, physical suffering no longer had spiritual power. Post-Reformation authors continued to detail punishments, but these had lost some of their meaning, and sixteenth-century accounts generally did not dwell on the sufferer's experience.[43] Intentionally or not, their recitals of torment created a secularized vision of punishment: stripped of grace, only deterrence remained. Possibly, too, heavy focus on the Devil discouraged psychological probing. Only slowly did a different kind of criminal voice begin to emerge, focusing on a moment prior to punishment, with contemplation of death, repentance, and a message for the public. At the same time, attention gradually shifted away from physical anguish toward purely mental suffering.[44]

The very early rhyme of the baker's apprentice Barthel, written by Kunz Haß in 1504, describes the killer's suffering and repentance at length. This was a culprit of questionable mental status, "who did not properly have his reason," but this certainly did not mitigate his punishment. For killing a whole family, he was subjected to extra penalties. First, his ten fingers were cut off one by one; then his body was torn with hot irons; he was dragged through the streets and finally impaled alive. With no squeamishness, the author recounts that the executioner tore with hot tongs "so that it smelled." The excruciating narrative of the final torment tells how the first attempt at impalement went awry, and the condemned himself gave instructions on how to correct the problem. His words convey both his suffering and his regret for his crime:

> The sufferer cried, "It's going wrong,
> Pull out and try another way
> So that my bitter torment may
> The longer serve to punish me.
> This I endure most willingly;
> Deservedly to me it's come.
> Had I a hundred murders done

I would not feel remorse as great
As for that tender little maid
Because I took her life so sweet,
Though prettily she did entreat,
Dear Barthel, please just let me live
And all my dolls I will you give."[45]

He lived for five hours, lamenting his crime and asking bystanders to pray for him to God and the Virgin Mary. His brother, a monk, was there to advise him to repent, and Barthel responded well:

Then with soft words he did reply,
"Brother, most heartily will I;
Sure as I brother am to you
I wish to die a Christian true."
Then countless folk did pity take;
He lived for five hours at the stake.[46]

He even offered a sign: if his head fell to the right after his death, it would show he was saved; falling to the left would show he was headed for hell. His head ended on the right, and everyone hoped he was "a child of blessedness." The author urged readers to participate emotionally in the scene:

Let everyone take this to heart,
How he in grievous pain and smart
Was able yet so long to live
And speech and answers still to give.[47]

Another early account, of a murder in Amberg in 1519, contains an even longer execution scene, covering four full pages and 106 lines of verse. This report had already devoted unusual attention to the killer's thinking, including his abortive plans to kill another victim and to drown himself. At the day of his sentencing, "His heart first lamented in anguish."[48] For his crime of killing a widow, her daughter, and a maid, he was to be dragged to the murder scene, placed naked in a cart, driven three times around the market, then torn with hot pincers, skinned, and impaled. On hearing this, we are told, the murderer's heart grew cold. On the day of execution, the author dwelt on his reactions. Although all sorts of punishments were laid out, it was the red-hot pincers that appalled him the most, since (the author said) nothing inflicts greater pain.

On seeing them, "Then shrank all his humanity / His speech did fail, his strength did wane." He bore most of the torment patiently, but when his skin was torn, "He many woeful cries did make; / He earned it, or I'd pity take."[49] Nothing certain could be known about the fate of his soul, but he gave good signs:

> Appeared in goodly Christian wise;
> With effort great he did repeat
> All that the priests advised complete,
> His neck already pierced with stake;
> And said, "O God, my pain here take
> For all my sins and crime to pay."
> And also cried in his own way,
> "O holy twelve, now stand by me!"
> Few words and no more cries gave he.[50]

Such intense attention to the subjective feeling of the condemned was rare, although precise specification of torments was not. Of course, the central aim was deterrence, as emphasized by the title, "Buy and Read Me, for I Warn You of My Piteous Suffering." The audience was encouraged to imagine the sufferer's pain and horror to underline the consequences of his crime. The attempt to guess the poor sinner's spiritual state from the manner of his suffering also fueled the interest in the words and gestures of the condemned. With the Reformation's denial that physical suffering could affect salvation, this fascination seems to have waned. Descriptions of execution by the late sixteenth century mostly seem bland by comparison, despite their gruesomeness. There are a few stray voices, like the familial killer in 1607 who cried out after everyone thought he was already dead: "O God, you honest Christian . . . he said, I go to heaven. God protect all his children."[51] More commonly, we hear of the physical tortures but not the reaction. For example, of the youth who killed his father and set a fire that killed forty more people in Pomerania in 1583, we learn that he burned for five hours at his execution, without further details. The imagination of the audience was directed instead toward the victims of the fire, especially the newly delivered mother who returned to her burning house to try to save her infant, but died in the flames:

> The torment then perceiving
> Of her beloved child,

At heart the mother grieving,
Leapt straight into the fire.
The cradle in her arm took she
And cried out loudly saying,
"O help, God pity me!"[52]

The voice of the criminal was seldom heard at execution, although some reports, like that of Pastor Johann Schwanfelder on the killing of his daughter and grandson (see chapter 4), treat the killer's remorse. Yet one rare form of crime account, the first-person lament of the condemned, dramatized the moment of confession in a particularly direct way. Unlike England, where the gallows lament was a well-recognized and regularly used genre by the mid-seventeenth century, it was scarce in Germany, even though the song form was routine. I have found just one example of this format from the sixteenth century; in the seventeenth there were several, though it was still uncommon. The first-person songs in Germany are not typical, but they are revealing in their contrast with the more usual perspectives. The cases that inspired first-person treatment did not fit into repeated patterns such as familial destruction, robber bands, witchcraft, or even murder for gain. Instead, they appear to have been cases that fit no expected model and thus perhaps called for more intensive imagination. While most crime accounts did not stress the subjectivity or distinctive personality of criminals, especially in the sixteenth century, the first-person lament offered a striking exception.

The sixteenth-century example is a remarkable one that uses impersonation to portray a culprit who was about as far as one could get from expected norms. Eva Barbiererin, executed in Nördlingen for fraud and theft, is the speaker of a song printed in 1566 in at least two editions. Evidently a person of indeterminate sexual identity—"deformed in body"—she had been raised female but for years had dressed in men's clothing and had even married a woman in Regensburg.[53] The records of her case survive in Nördlingen and offer striking evidence of her audacious career. Her impostures successfully convinced town elites not only that she was male, but also that she was one of them. In Nördlingen, she claimed to be a journeyman tailor and robbery victim. Even more boldly, she identified herself as the son of a town councilor of Regensburg. The tailors believed her and wrote to her supposed father—"to the honorable and wise Hans Portner, burgher and councilor of Regensburg, our dear lord and friend"—to give him news of his son.[54]

Barbiererin had successfully used the claim of relationship with prominent burghers before. In Regensburg, she had posed as the son of a town councilor of Linz. In Vienna the year before, she had presented herself as the brother of the burgher David Lang, using his name to borrow and pilfer. In both cities she was believed initially, then arrested and eventually released. Her exploits as a young man, extending over three years and a large geographical range, included many miscellaneous thefts and swindles. She told one innkeeper that her parents would arrive with a large party of seventeen guests the following day; he was thrilled until she decamped after breakfast. Another time, she dressed as a carpenter and promised repairs that were never made, pocketing the down payment. She also worked occasionally—for example, with a clothmaker (from whom she stole cloth).

The song version concentrates on her time in Nördlingen rather than this picaresque history of tricksterism. Instead, it emphasizes robbery and theft from the poor and handicapped, which also appear in her official confession. The tune, "Von vppiglichen dingen" (Of Licentiousness), was borrowed from a well-known song against immoral behavior. Adopting Barbiererin's voice, the song conveys first her brazen attitude before discovery, then her penitent acknowledgment of justice. She tells how she delighted in her own knavery; while they were waiting for the return of the messenger from Regensburg, "Still there was no suspicion / My roguery pleased me well."[55] She was caught trying to run off, and the song describes her secret thoughts as she tried to talk her way out of it: "I told myself in secret / I won't confess the truth."[56] In prison she is confident and unrepentant:

> For justice I did call,
> Shouted and sang with joy,
> No sorrow felt at all.
> I trusted in my ploy,
> And naught could me annoy;
> But then the news came back.[57]

Hans Portner had no such son.

Barbiererin likely was not expecting harsh treatment, given her experience with earlier arrests. In Nördlingen, however, she was tortured, and the game was up: "Many new tricks I tried, / But it was all in vain; / Pretense was no more use."[58] Forced to confess her long series of crimes, she also confesses that she cannot be rehabilitated:

I will not change my ways,
My lords I you apprise:
In robbery my days
I'll surely spend always;
It won't be otherwise.[59]

Obviously, the words attributed to her justify her death sentence and portray the city authorities as fair and even merciful. Although Barbiererin herself surely had no hand in the first-person recitation of her thoughts while in prison, she may well have expressed gratitude to the city fathers, as she is made to do in the song. In fact, she had received an exceptional favor. She was sentenced to drowning—a punishment typically reserved for women—but, on the appeal of friendly nobles, was granted the more manly death of beheading by the sword. More remarkable still was the privilege of ending her life in men's clothing, a recognition of her sense of identity that lent a certain dignity even in execution.

What led the balladist to compose this impersonation, so rare among sixteenth-century crime accounts? Given that the author had witnessed the execution and relied on the official confession read on that occasion, it is likely that Barbiererin did address the public and express at least some of the sentiments attributed to her. Her history of boldness made this a characteristic action. Certainly, as presented by the song, she gave a superlative performance at her execution scene. In addition to thanking the authorities and praying for forgiveness from God and the public, she appeals directly to the audience for emotive participation:

I ask you one and all
That you take this to heart:
Though earthly shame I know
I here must undergo,
I do it willingly.[60]

She closes in confidence of God's forgiveness and looking forward to heaven.

Of course, the author of the song did far more than report, elaborating whatever was said into an embellished account that related even her thoughts. Clearly, the power of her personality caught his imagination and likely that of the audience as well, as it even moved the court to special consideration. Crime accounts regularly endorsed punishment, but the first-person narrative goes further to emphasize that even the unfortunate protagonist acknowledges its legitimacy. In a case where the culprit might arouse special sympathy, the first person could serve two purposes at once, satisfying the urge to imagine the criminal's experience while also reinforcing the message of submission to authority. Here the first-person account responded to an exceptionally charismatic criminal with, on the one hand, the tribute of imaginative identification, and on the other, a redoubled insistence that the actions of justice be endorsed.

This example found few imitators, however. Those that did emerge in the seventeenth century seem similarly focused on unconventional criminals, though none so dramatically. In contrast to the great majority of printed crime accounts, they tend to give little attention to the crimes themselves. Instead, they focus on the repentant soul and shade into generic devotional language that might be voiced by any sinner. Indeed, they share much ground with contemporary farewell songs of the godly; because they were facing death in a repentant frame of mind, the condemned could contribute to a larger discourse on dying well.[61] In some cases, the principals likely composed the texts themselves, although one cannot necessarily take such attributions at face value. Certainly, the songs encouraged imagining of their inner life, in ways that were often conventional but could also allow space for the expression of distinctive personality.

It was the penitent self and not the active violator who deserved a public voice—sometimes to the point that the crime itself was completely obscured. The songs of Andres Mosser and Hans Winter, both executed in Basel in 1626, express their religious faith with little hint of the nature of their crimes. Mosser is a bit more specific, lamenting his sinful life and upbringing:

> Raised in a wretched, godless way,
> I here and there about did stray
> And all commands of godliness
> Shamefully broke, I do confess.[62]

He tells how he was arrested in Basel, was tortured, and confessed—but not to what. His comment that he had traveled "here and there" suggests a vagrant life; he was executed together with his wife and three others, including Hans Winter. The rest of the song expresses his preparation for a Christian death, adding moral admonition to the community's parents and children. His companion Hans Winter devotes his whole song to prayer, looking forward to the end of his earthly pilgrimage and entry into eternal life.[63] Tantalizingly, neither the pamphlet nor the Basel archive tells what crimes brought these now pious men to their deaths.

The mode of godly repentance dominates in other criminal farewell songs also. In the 1665 song of a woman who poisoned her husband, we find a familiar trajectory from sin to repentance. Still, the first-person voice compels imagining of her experience and emotions. She addresses her deceased victim as "Darling" (*Mein Schatz*),[64] the language of affection reinforcing the message of her repentance; not only does she regret killing him, but she has realigned her feelings into wifely devotion. Although the song announces the basics of her crime, it gives no details. Instead, it focuses on the experience of her soul. The lure to murder came from one of the Furies, Megara—representing the Devil or possibly a female accomplice, but in any case an external tempter:

> Megara then with guile
> The beaker offered me;
> Take this with no denial,
> She said, for most truly
> This deed will remain hidden
> And be a secret still.
> I let my heart as bidden
> Follow her evil will.[65]

Only afterward does her own feeling reawaken:

> Then conscience did awaken
> And with the crime me smote;
> The Devil me had taken
> And inwardly did gloat.
> I cried aloud to heaven
> For saving of my soul.[66]

This language evokes a growing seventeenth-century discourse of conscience, conceived as an active principle tormenting the murderer from within. The poisoner speaks, but like many more shadowy killers, she had been a tool in the Devil's hands. The personification uses her voice to endorse punishment while also enlisting the audience's sympathy for the suffering sinner and reclaiming her for Christendom. As she awaits the final blow, she calls on Jesus for patience and looks forward to heaven. The song confirms her successful repentance and salvation with a final stanza representing her soul after death in heavenly joy.

Given the alignment of the repentant criminal with the general picture of the pious Christian's good death, the criminal farewell song could easily shade into a lament on more universal themes. The crime faded into the background, but the inner experience of the sufferer received increasing elaboration. A pamphlet from 1683 offers a "lovely farewell song" written by a student, Johann Bonath, condemned to death "for a crime" and beheaded in Königsberg. Readers and singers learned nothing more about his crime; instead, they were encouraged to join in his meditation on death. This he presents in personal and self-reflective terms:

> This day am I dying
> And to heaven flying;
> God I soon will see.
> Ere the hour is knelling,
> They'll of me be telling:
> Oh! now dead is he!
> From today in Earth him lay;
> With cool earth his body cover,
> For his life is over.[67]

He addresses his parents, urging against mourning and tears, as he will be among angels learning in the heavenly school. He imagines his mother's grief at the loss of his early promise as a scholar, but reassures her of their meeting in heaven:

> "Oh! What now becomes
> Of writings of my son?"
> The mother's heart laments.
> Mother, you have borne
> A hope that's now forlorn.
> To heaven I go hence;
> There I will be and you'll me see.[68]

A similar note of personal loss in the approach of death appears in the song of Benedict Gfeller in 1677, which was also likely written by the speaker. This devotional piece appears not in a crime report but in a pamphlet headed "Two New Spiritual Songs," a common format for hymns.[69] The sole hint of crime in the title is the mention of his writing "in his imprisonment"; only in the last lines do we learn that its protagonist was in prison on a charge of murder. The bulk of the song is devoted to his regrets about his earlier lack of piety and his failure to listen to the good advice of parents and ministers. Like the student, he dwells on his feelings; the song invites imagination of his suffering, his "great misery and weakness"; the parting from his parents, wife and child; and his fear of death and shame. Like other preparations for the good death, and justifying its appearance as a hymn, the song emphasizes his turning to God as refuge in his trouble.

Although the great majority of seventeenth-century crime reports avoided such probing into the mind, this strain of personal self-expression did increase significantly from the sixteenth century to the seventeenth.[70] In contrast to the tendency of some early reports to dwell on the physical suffering of punishment, the focus increasingly is on mental torment—not the shrinking at the red-hot pincers but the inner torments of guilt and the anguish at the approaching loss of self take center stage. But, such intense examination of inwardness was not applied to the kind of criminal who appeared in the bulk of early modern crime reports, the multiple murderers and familial killers. Instead, the speakers were more sympathetic individuals who fell afoul of the criminal justice system. They were accorded a public voice to relate their inner suffering and appeal for sympathy, within the frame of conventions of repentance and resignation. Though sharing emotions conceived as common on the brink of death, the form created public space for attention to distinctive qualities of the individual, from Barbiererin's audacity to Bonath's literary talent.

I have argued here that media representations of crime offered new modes of aligning imaginative and emotional responses along common tracks. Techniques of depiction heightened the emotive triggers even of inherently appalling crimes, offering windows into the experience of victims and encouraging vivid reimagining. By drawing on common emotive response to horrific violations of life, sensational accounts eased acceptance of punitive powers and of associated moral imperatives. In portraying criminal actors, they evoked an unstable self subject to conflicting forces, prompting audiences to reflect on their own vulnerability to the Devil's temptations. The recommended rectitude and piety were not only virtuous but a hedge against disintegration. In the rarer first-person productions, crime accounts gestured toward identification with an expressive self that connected a public voice with inner feeling.

These productions give direct evidence of their own techniques of address, conventions, and patterns. Conclusions about their effects and operation are inevitably more speculative. I suggest, however, that the uses of imagination promoted in crime texts contributed to the sense of a community of feeling across the broad and abstract audiences of print. If imagination in general draws on the treasury of sensations, the invitation to relive inner experience and feeling draws on a different set of impressions: the motions of one's own inner being. By asking audiences to respond in this way, crime texts implicitly endorsed attention to one's feelings as a matter of public responsibility and civic participation, as well as religious duty. For these were not fictions or trivial affairs, but events that called for decisive action by political authorities and serious engagement in public discourse. Audiences were urged to take crime to heart, to attend to feeling, as a key to both inner truth and public unity.

Staging the Lamentable Theater

Crime, Reason, and Emotion in the Seventeenth Century

7

For the great sixteenth-century collector Johann Wick, heinous crimes were imbued with larger meaning. Pamphlets and broadsides on the latest and most terrible murders were not trivial but helped to create a significant historical and moral record. When he died in 1588, no one carried on his work of collecting, although crimes continued and their narratives continued to appear in print. Some sixty years later, another stupendous crime collector emerged on the scene, when Georg Philipp Harsdörffer published his *Grand Theater of Lamentable Murders.* Both men found meaning in murders and both searched for truth, but the differences between them were just as great. Addressing a changed public scene in the wake of the Thirty Years' War, Harsdörffer was also a different kind of narrator. A secular nobleman and official, he was a leading light in literary circles and an exemplar of seventeenth-century trends in both intellectual engagement and lay piety. His work offers telling contrasts with the outlook of crime reportage, whether in Wick's time or in his own day. His ideas were in some ways distinctly his own, but they also point to significant developments in the cultural uses of crime.

To start with similarities: neither Wick nor Harsdörffer could possibly be seen as a representative of popular culture. Both had received higher education, though in different modes; both naturally turned to books, words, and images as sources and conveyors of meaning; both had the avid collector's curiosity and voraciousness; both were tirelessly productive, maintaining constant activity over years. And, of course, both were interested in crime, among other things. But the kinds of crimes that interested them, the meanings they found in them, and the larger constellation of interests in which crime found a place were all substantially different. While Wick mined the reports of cheap print along with correspondence and other sources for his record of shocking events, Harsdörffer appears to have made little use of street literature. Although he did draw from current events and even his own experience, his stories were essentially timeless—told not to signal the distinctiveness of his time but to promote universal moral messages. This contrast reflects Harsdörffer's divergent interests but also suggests how seventeenth-century developments in print journalism tended to downgrade crime broadsides and pamphlets in the eyes of elite readers. Wick turned to these as readily as to his own correspondence in his search for meaningful stories of crimes and other calamities; Harsdörffer largely ignored them. Though a layman, Harsdörffer shared Wick's belief in the moral and spiritual uplift to be gleaned from crime stories. The events of crime and its inevitable punishment were God's theater. But the use to be made of these examples was different. Instead of observing the troublous times and seeking to avert God's wrath through repentance, the reader of Harsdörffer's horrors was encouraged to talk about them, reason about them, and draw moral conclusions for self-improvement.

In some respects the discourse of crime is slow to change, even though it addresses current social issues. Similar patterns and formulas can be repeated across many decades, attesting to modes of appeal that resonated widely. Thus the early rhyme of Barthel the baker's apprentice, written probably in 1504, enjoyed a revival in the mid-sixteenth century, with new editions in both Nuremberg and Augsburg. Pamphlets and broadsides of the seventeenth century show many similarities with those printed earlier. The story of the terrible daughter Magdalena, based on an account from the Netherlands and printed in 1650, picked up earlier themes of family mayhem and was echoed decades later. Naturally, most accounts dealt with new crimes, but treatment of them could echo the past. The range of crimes in seventeenth-century accounts was generally similar to those of the sixteenth century, with perhaps a somewhat greater attention to crimes of sexual relationships—cases of incest and infanticide, the killing of a pregnant lover, the poisoning of a husband.[1] This element parallels the prominence of sexual relations in Harsdörffer's tales, but the numbers of these accounts are still too small to be a clear indicator of change, and familial mayhem continued. The upheavals of war in the 1630s and 1640s also produced their own brand of publicity, with accounts of thieving soldiers and desperate people driven to cannibalism.[2] In more general terms, the combined aims of deterrence and religious indoctrination continued to mark many crime reports with repetitive elements into the eighteenth century. Yet the world around them was changing in ways that could affect the impact even of things that stayed the same.

Change over time is tricky to trace from such ephemeral publications. Their survival is not random, but dependent on the taste and judgment of those with the resources to preserve them. The death of Johann Wick in 1588 points up our dependence on such collectors. It seems unlikely that the production of crime accounts decreased dramatically from the 1580s to the 1590s, yet among my sources more than twice as many items date to the earlier decade, and about a third of the 1580s titles were preserved by Wick.[3] Such possible distortions make it hazardous to attribute meaning to apparent differences in frequency of reports across time. In the seventeenth century, the upheavals of the Thirty Years' War likely hindered survival even where they did not disrupt production. In the pamphlets and broadsides that do survive, war largely pushed crime off the stage in the 1630s and 1640s; there were other horrors to think about. Seventeenth-century reports are more scattered and hard to find than those of the sixteenth century, and a much lower proportion survive in multiple editions (some 10 percent, versus 30 percent for the earlier period). This suggests not only the chaotic environment of midcentury, but also perhaps a decline in interest among educated collectors. Such popular productions remain difficult to locate for the eighteenth century as well.

Even before the war, early journalism was changing. Historians of the press date the earliest periodical publications in Germany to 1609, when printers in Strasbourg and Wolfenbüttel independently began producing regular news reports, a practice that soon spread more widely. The new periodicals were concerned with high politics, and many had little to say about crime except when particular cases impinged on affairs of state (if, for example, someone assassinated the king of France or an unpopular execution threatened to turn to riot). They appealed to a different sensibility and likely a different readership from sensational crime accounts. News reports on war and diplomatic affairs had of course been produced throughout the sixteenth century, but by midcentury, weeklies provided a new level of coverage. They collected material from correspondents in major cities across Europe, reporting on affairs of war and peace, diplomatic marriage negotiations, audiences with heads of state, births and deaths among rulers and their families, troop movements, and events reflecting religious tensions. Unlike the sensationalism more typical of individual crime accounts, these productions took an essentially rationalist perspective: the informed reader would acquire cumulative knowledge of facts that would enable him to grasp the motions behind the world's major developments. Reasons of state and not the state of the reader's soul were paramount. It appears that the seventeenth century saw a shift of the more educated away from consumption of the older emotive style of street literature.

The seventeenth century presents a mixed picture of broadly distributed crime discourses. Alongside items that hark back in style to productions of the sixteenth century, one can identify, on the one hand, a gradually growing role for imagined psychology of the criminal (see chapter 6), and on the other, a subgenre with increased focus on the specifics of legal process. By the eighteenth century, legalistic case reports were growing in length, sometimes into full-size books. The song form, likely appealing to a less educated audience than the drier and more literacy-intensive case report, was a mainstay of emotive and imaginative crime reportage. Not only the rare first-person criminal lament, but the more common third-person songs as well, encouraged reimagining. While portrayal of victims' suffering was most prominent in the sixteenth century, particularly in the pleas of child victims, the tendency to re-create an inner life for the criminal grew on into the eighteenth century, though often in stylized and didactic terms.

The horrible daughter Magdalena illustrates the continuing appeal of both the song style and the themes of family destruction so rife in the 1580s. Offering a 1650 case from Brugge in Flanders, the first Magdalena pamphlet reconstructs the action complete with dialogue and drama. Its reprise in 1673, this time in Moravia but with much repeated language, shows a persistence of sixteenth-century themes that one can find in narratives like those of the murderous parents and wife sales (see chapter 5).[4] The songs recount how Magdalena had been consorting with a gang of murderers and had borne and secretly killed two illegitimate infants. To support this vicious lifestyle, she demanded her inheritance early—like the prodigal son, but with ghastly results. When denied she became incensed against her father: "Curse the old dog, said she; / If I'd a way to do it, / I'd kill him speedily." Her murderous friends encouraged this evil resolve and sent her home emboldened. The songs tell of the parents' hearty welcome on her return, another ironic echo of the prodigal son. She killed the whole family in their sleep. The number and sex of the children differ between the accounts, suggesting that the later publisher simply borrowed a handy template to apply to a different incident. In both, however, she slaughtered the peacefully sleeping children in the same way:

Two young boys there were sleeping,
Of danger had no fear.
The sharp sword of their father
Upon the wall there hung;
She added yet more horror,
Took heads of these two young
And in appalling manner
Against the wall them flung.[5]

On her arrest she implicated the murderous gang at a nearby inn, who together confessed to 170 or, in the later version, 130 killings.

Not all crime accounts pursued the sensational, however, and the seventeenth century saw increased mimicking of legal process in some publications. An early example of unembellished confession is the 1570 broadside and pamphlet on the serial murderers Martin Farkass and Paul Wasansky. Their confessions are given without emotive comment (apart from the broadside's graphic images of violence including disembowelment).[6] Spare reportage could be produced by officials themselves, as in the *Gerichts Registratur* (court register) on the finding of a slaughtered family in Thuringia in 1606; the report was signed by the local clerk, "Described by me myself, Georg Bogner, official clerk of this place."[7] Some reports gave more elaborate reconstruction of the steps and specifics of legal procedure. Thus a 1654 pamphlet on the arch-murderer Melcher Hedloff reprinted his successive confessions, on seven different dates, ultimately amounting to 251 killings, among other crimes; it also reproduced the official notice of his crimes that was ordered posted at the four crossroads with the quarters of his body.[8] Still more elaborate is a pamphlet from 1661 on a family of criminals executed for offenses including murder, adultery, incest, sodomy, arson, cannibalism, and theft. Their confessed crimes are listed in numbered sequence for each culprit, followed by quotation of the judgment of the court and detailed engravings of the execution scenes (with letters keyed to specific points such as the locations of pauses for tearing with red-hot tongs). With all the legalistic detail of the thirty-four counts against Hans Liehman, including nineteen counts of murder and three of arson, there was also plenty of room for expressions of horror at the "unheard-of, gruesome and terrible" crimes.[9]

There was clearly no unified audience for crime as a theme, but rather a range of approaches to it. In addition to real-life crime reporting, whether legalistic or imaginative, literary works dealt with overlapping themes. New in the seventeenth century were adaptations from Spanish picaresque novels, with their first-person narratives of disreputable lives. Their escapades included the criminal and near-criminal, though hardly the sorts of major crimes featured in crime reportage. The novels of Grimmelshausen took this style to its height in the second half of the century. Another literary borrowing, from the French genre of *histoires tragiques,* dealt with high crimes and provided the inspiration for Harsdörffer's *Grand Theater of Lamentable Murders.* His contemporary Martin Zeiller also published a highly popular translation in this vein. Although far removed from topical crime reports, Harsdörffer's compilation insists equally on "true crime" as a source of important meaning. Promoting new uses of crime stories in the building of individual morality and civilized sociability, he drew on sensational content in the interest of rational self-discipline.

Georg Philipp Harsdörffer is a difficult figure to write about. For one thing, he wrote altogether too much. And since so much of what he wrote was translated or adapted from others, he is hard to pin down. His gargantuan baroque curiosity threatens to overwhelm the puny researcher at every turn. In the context of this study, too, his status is ambiguous. Neither producer nor major consumer of the topical crime accounts that form my main body of evidence, he is yet impossible to ignore. His stories, though touted as true, overlap considerably with the stuff of drama and fiction. His audience was likely at some remove from the consumers of everyday street literature. Yet his collection was the seventeenth century's most sustained and widely reprinted exploration of violent crime, and explicitly of the *jämmerliche* type—so rare and shocking, though so common in print. The attempt to make sense of his meaning for the history of crime and culture involves tracing a range of intersecting comparisons and contrasts. One can see Harsdörffer not just as a subject of study in his own right, but also as a point of triangulation. He differs from Wick for many reasons—partly the passage of more than half a century, partly issues of genre and purpose. His relationship to the popular press of his own day is different—as is, yet again, the contrast with later preoccupations of public crime discourse. His distinctive orientation sheds light not only on his own small corner but also on much wider developments in thinking about crime.

Harsdörffer was a Nuremberg patrician, from a family with a long tradition of involvement in public affairs. As a member of this ruling elite, Harsdörffer shared in the tradition of rationally scripted crime control as laid out in the Carolina. He studied law at Strasbourg and spent most of his career as assessor of the city court, dealing with civil matters. Other members of his family were more active in criminal cases. At the same time, he was an astonishingly prolific writer, publishing more than a dozen substantial works in the 1640s and 1650s, each running to hundreds of pages and often multiple volumes, in addition to various shorter publications. Much was adapted or translated from others, but even so his output was huge, including translations from Spanish, Italian, English, and French, German adaptations of content from various sources, and a number of Latin works. His range of subjects was enormous, including prose tales, poetry, drama, manners, mathematics, emblems, devotions, and more. His best-known work, the *Playful Colloquies for the Ladies,* offered a collection of dialogues, skits, and games designed to promote cultivated sociability among educated women and men.[10] The collection spawned numerous sequels and reprints, along with a collection of upbeat stories, the *Grand Theater of Pleasant and Instructive Tales.*[11]

The similarly titled *Grand Theater of Lamentable Murders* was tied to the earlier collections. A preface explains that the two hundred murder stories, like the parallel pleasant stories, are intended to supplement the *Colloquies* with a stock of narratives.[12] And indeed, one can find among the dialogues and games of the *Colloquies* a bloody story or two, introduced by Harsdörffer's characters to point a moral or respond to one of the conversation-launching questions or themes. Thus the theme of eyes elicited a story about a jealous lover who hired assassins to attack his rival and then sent the rival's eyes to the lady.[13]

These murder stories were linked to a vision of elite intellectual play. Yet they probably had a slightly different audience from the *Colloquies* and *Pleasant Tales,* which were published in Harsdörffer's home town of Nuremberg and in octavo format, a standard book size. The early editions of the *Lamentable Murders* appeared in Hamburg and in the lower-cost, pocket-sized duodecimo—though at over 350 pages in each of three volumes, the books were still substantial. The *Colloquies* were presented by Duchess Christina of Braunschweig-Lüneburg as a gift to her daughter, Duchess Sophia Eleonora. There is room for doubt that the *Murders* would have been thought suitable for such a use, although this book too found its way into libraries of the great—in one case by presentation from Harsdörffer himself to Duke August of Braunschweig-Wolfenbüttel.[14] The author was addressing an audience that at least aspired to the civilized elite sociability of the *Colloquies.* But the smaller size suggests also a market for private enjoyment, with perhaps some buyers who would not have invested in the larger collections, and probably more men. In any case, the *Grand Theater of Lamentable Murders* was Harsdörffer's most popular publication, reprinted in at least eight editions up to 1713.[15]

The collection began as an adaptation from the thirty-five stories published by Jean-Pierre Camus, Bishop of Belley, in his *Bloody Theatre* of 1630.[16] Harsdörffer took the concept much further, compiling a total of two hundred bloody stories from various sources. The bishop aimed at Christian uplift through these negative examples, and Harsdörffer also emphasized a high moral purpose, even as he excised or recast the Counter-Reformation thrusts of his Catholic model.[17] The stories were set mainly among wealthy or noble actors and largely outside Germany, as Harsdörffer relayed material particularly from French and Italian sources. But he insisted on freedom in translation, and he changed a good deal.

This theater, Harsdörffer claimed, was one of history as well as tragedy. Tragedy, pictured allegorically in the frontispiece, holds up a mirror to show the fate brought on by evil acts, while history contributes truth and the lessons of the wise.[18] Harsdörffer presented the stories as true, although he drew from collections with some clearly fictional content. The story of Romeo and Juliet appears, along with others involving secret plans, disguised identities, and convoluted twists of fate. He also collected factual accounts both historical and contemporary, such as the murder of the Duke of Buckingham in 1628, and some from his own experience. He drew on journalism to some extent, such as the *Mercure François,* an early French periodical (1605–48) that was widely read in the form of collected volumes. The cheap crime publications of Germany found little reflection here, however, even when the author was running short of material in the latter part of his collection. For example, one of the last stories recounts the sale of a wife to murderers who hoped to gain magical powers from the eating of fetal hearts. Harsdörffer learned of this "unheard-of" crime from "reliable letters" reporting events in Sweden and seems unaware of similar tales in earlier crime reports.[19] In any case, he insists that his stories are true—or at least could have been true—asserting proudly that there is "nothing unbelievable, that could not have happened, to be found in the whole book."[20] The moral authority of true events makes the *"Schauplatz"* God's theater, in which sharply marked good and evil are displayed and appropriately repaid. For Harsdörffer, unlike Wick, this matters not because the events signal a special moment in cosmic history, but because they have lessons to teach for individual self-improvement.

Harsdörffer was explicit about the special value of narrative as a means of truth telling and a tool of moral education. The tales of evil-doing, each with its appropriate moral and all showing the ultimate punishment of vice and crime, would train young people in upright living. His "theater" was more effective than unvarnished doctrine, however sound—not only because of the vivid impressions created by stories, but because stories allow free rein to the will: "For the will would not be compelled and conquered by force, as dogmatic rules would command, even if they are well grounded. Examples, however, as if silently show the reward of the good and punishment of the bad, and so do not coerce the free will, but rather unobtrusively lead it to proper behavior and useful emulation."[21] It was narrative, not precept, that would foster true morality, which required a freely chosen self-discipline.

Joining the truth of history with the experiential power of narrative, Harsdörffer effectively harnessed both feeling and reason to serve his moral purpose. His means of doing so can seem perplexing and paradoxical to modern readers, however. On the one hand, he courts sensation by presenting "lamentable murders," implicitly using the lurid content to engage his audience. Yet on the other hand, his style of presentation persistently undercuts emotional engagement. In adapting the stories, Harsdörffer condensed them to bare bones, cutting out everything he considered superfluous. The result was the stripping away of such elements as dialogue and emotive elaboration, which often appeared in his sources. Framing discussions provide a platitude for every atrocity, countering the stories' emotional impact. For example, "The Punished Adulteress" opens with the comment that unchastity would be bad even if not forbidden by God, since it spoils health and strength. The story then recounts how an adulteress is locked up by her husband with the rotting head of her dead lover; she escapes, only to be raped to death by robbers.[22] Whatever their mutilations and cruelties, the stories are prefaced by mannered introductions that subsume them under abstract concepts or tie them to allegorical vignettes.[23] The style of narration is calm and matter-of-fact throughout, leaving the shock unemphasized. While the events may be "lamentable," the detached commentary addresses the reason.[24]

Such stylistic differences underline the contrast in aim between Harsdörffer and the authors of topical sensationalism. Along with his moral precepts, Harsdörffer explicitly offered entertainment and even play alongside the gruesome subject matter. The title page advertises remarkable stories and instruction, but also witty sayings and riddles. The audiences of topical crime reports might be urged to "take them to heart" as the most crucial element of their reception, but for Harsdörffer it was the intellect that teased out a moral message to inform the choices of the will. In both types of retelling, crime provides vicarious experience, and its emotive thrust compels attention. But here, reasoning rather than feeling is the ultimate goal. The level of detachment prefigures that of modern crime fiction, although there is no detection here. Harsdörffer's sometimes cryptic style points, tantalizingly, to the settings of sociability where he envisioned the stories' re-creation. They were meant to be read not in the sequential style of the modern scholar or novel reader, but as cues for oral transmission and social interaction. If Harsdörffer reduced them to bare bones, he may have counted on an active audience to restore their flesh. But retelling of the stories in conversation, if it happened in a setting like that of Harsdörffer's *Colloquies,* was not aimed at the cultivation of emotional states. Rather, it was an enjoyable exercise of the mind in which rational analysis created moral order out of bloodshed and confusion.

Given such aims, one cannot expect straightforward meanings to emerge, perhaps even less than from some other literary works. And of course, it is not possible to consider all aspects of Harsdörffer's collection here. But his range of concerns offers some telling contrasts and parallels with views of crime from other cultural settings—including the world of rational legalism, the patterns of street literature, and the images of crime that began to emerge in the following century. The differences reflect divergence of audience, certainly, but also development of a new sensibility.

In describing his collection as history, Harsdörffer explicitly distinguishes it from the mainstream history of rulers and politics. This, instead, is a history of private persons, advancing lessons in morals rather than statecraft. Harsdörffer fully endorses the state's monopoly of violence as codified in the Carolina: private persons have no business in the taking of life, a matter for the government or for God. In conflicts over property, political rivalry, even vengeance for violence suffered, the use of force is a public affair, depicted as the exclusive right of the authorities. Violence in the private realm is nearly always illicit, the result of undisciplined passions such as anger, vengefulness, or jealousy, and the stuff of crime. His approach shows an evolving modern view of violence and the boundary between public and private right—most strikingly in his treatment of the interrelated themes of dueling, honor and sexuality.

The private violence of dueling appears frequently in the tales, to Harsdörffer's disdain. He condemns it as a vice rampant in France and Italy, although nobles in Germany increasingly adopted the practice after the Thirty Years' War.[25] For all Harsdörffer's protestations, his collection likely did little to stem the tide and could even have helped to naturalize the custom by the regularity with which it recurs in the tales. In story after story, the challenge and duel appear as almost automatic reflexes of the piqued nobleman. In moral terms, however, Harsdörffer comes down against it and against all private revenge. In "The Punished Brawlers [*Die gestrafften Balger*]," Harsdörffer derides duelists as claimants to a false and disreputable code of honor.[26] His choice of the term *Balger* underlines his scorn, suggesting low-class and disorderly scuffling.[27] Harsdörffer distances himself from the many nobles who were appalled by the execution of the Comte de Bouteville, the first nobleman condemned to death for dueling in France. Although the practice had been outlawed as a capital crime in repeated edicts since 1602, noblemen regularly received pardons for the offense and had come to rely on this leniency.[28] In Bouteville's case, such confidence fed his involvement in twenty-one duels, culminating in one brashly staged in the Place Royale. He was executed by Louis XIII in 1627. Harsdörffer omits Bouteville's honorific titles, abiding by the royal decree that deprived such criminals of their nobility. In France at the time himself, Harsdörffer heard the emotional pleas for Bouteville's life and the laments over this loss of a nobleman in the flower of his manhood. Still, he applauds the king for upholding law. Such adherence to principle over class-based sympathy underlines Harsdörffer's allegiance to the rational standards promoted by legal models.

Duels appear in more than two dozen stories and are usually depicted as either senseless or malevolent. In a number of cases, duels are prompted by noncombatants who provoke conflict for selfish ends.

Sometimes a woman sets men against each other, as in "Treachery Exposed" and "The Unchaste Mother."[29] Or the instigator could be a man, as in the case of "The Traitorous Brother-in-Law," who hopes to inherit his victim's goods.[30] Unwilling to risk direct murder, the scoundrel tricks him into challenging others to duels. Even when free from trickery, however, duels lead to random results. In realistic fashion, the outcomes bear no predictable relation to the rights of the case: the villain may well prevail, although by the end of the story God's justice is inevitably served. Duels also bring ironically unexpected punishments for participants. In two different stories, a successful but wounded duelist later dies from premature indulgence in sex with his beloved.[31] And of course, duelists regularly suffer punishment from governmental authorities or must flee to avoid it.

In a few cases the duel, while certainly not praised, appears at least partly justified. These less blameworthy duels are fought not for what Harsdörffer describes as trivial causes, such as angry words, but over serious breaches of either a man's own honor or that of a woman whom he defends. The honor in question here persistently relates to sexual relations, especially breaches of marital promises. In "The Scorner Scorned," a prominent nobleman becomes engaged to a woman of lesser though still noble status, but in his absence she jilts him for a rich merchant's son. "The shame which [the merchant's son] had supposedly inflicted on [the nobleman] could not be washed away except with blood." Harsdörffer's phrasing casts doubt on the justification for the duel, but the nobleman easily kills the commoner and is pardoned because of his high status.[32] In another case, a pregnant woman is abandoned by her fiancé, despite his written promise. Her new suitor seeks a duel at her urging, and "as the brave knight of an innocent woman he fought so against his opponent that he ran him through."[33] Although Harsdörffer suggests reservations about the woman's demand that her suitor become a "blood-bridegroom," the ending leaves them happy and their enemy punished. Thus dueling receives a grudging tolerance where there is a just cause of sexual honor to defend.

In classing his history as private, Harsdörffer does not envision the later notion of separate spheres, a private family circle distinguished from the public of state and marketplace. Private in his sense means nongovernmental, acting in no official capacity. And yet the family, and the still more intimate realm of sexual relations, bulk especially large in this private history. The family takes very different shape from its appearance in earlier topical crime accounts, where intergenerational relations were paramount. Here the central tensions are not vertical but horizontal; not between parent and child but between age mates, and less across ties of blood than over affective relationships. Private violence is criminalized and also seemingly sexualized, at least compared with the accounts of journalism. A measure of the weight placed on sexual relations appears in the one partial exception to the state's monopoly of justified violence: the defense of sexual honor. For men as well as for women, this provides a barely tolerable excuse for private violence in Harsdörffer's stories. Attacks on sexual honor—women's status as honorable wives or chaste maidens, men's sexual rights over their wives—create spaces in which violence appears not as the result of uncontrolled passion but as the expression of private justice. In effect, the sphere of private right is defined mainly as the sphere of the sexual.

In the depictions of illicit violence, too, sexual relations play a disproportionate role compared with topical reports of crime. Just as street literature's scenarios of familial danger distort actual incidences of crime by a focus on those that were perceived as distinctively horrifying, the Harsdörffer stories privilege certain nodal points of violence. In these depictions, gender relations were distinctly violence-prone. Especially prominent are love affairs gone wrong, jealousy and revenge, conflicts over promises of marriage, seductions, adultery—such matters accounting for over half of the stories' themes. Repeatedly, the stories depict the entry into marriage and the continuing solidity of marital relations as critical points of vulnerability to unbounded passions and the resultant eruption of violence.

The scenarios of familial destruction so prominent in street literature find little echo in Harsdörffer. There are a few cases of child murder, but with origins quite different from the scenes of household mayhem in topical reports. In one story a pair of adulterers, each married to another, kill both spouses and the woman's two sons in order to continue their sinful liaison.[34] In another, "The Jealous Princess," the lady of the title brutally kills her husband's mistress and two children.[35] As these two examples already suggest, the emotional dynamics of these crimes contrast sharply with those of earlier street literature, where intergenerational conflict was central and tensions over sexual relations comparatively rare. Another story comes closer to the family murders: A nobleman of Orleans had a drunken and unruly servant whom he had often disciplined. Sent by the lord on an errand to his house, the servant quarreled with the maid over his demand for more wine, stabbed her, and cut her throat. As in street literature scenarios, the one murder led to others: he went on to kill another maid, two of the lord's daughters, and the lord's five-year-old son. Unlike the killers of street literature, this one was able to hide his crime until two years later when, condemned for theft, he confessed the earlier murders.[36]

Intergenerational murder is rare in Harsdörffer, though there are a few cases—a son and mother who conspire to kill the father, a mother and stepfather killed for an inheritance.[37] One story, of a peasant who kills his wife and children, does follow the conventions of street literature, portraying his actions as the result of drink, gaming, and cursing.[38] But far more common in these stories than parricide or filicide is intergenerational tension over marriage choices. The familial woes in Harsdörffer most commonly turn on affairs of the heart, from troubled courtships to adulterous liaisons. Greedy and ambitious parents thwart their children's desires; unruly youth slip out of control. The ill effects of parental tyranny appear, for example, in "The Amazon," in which the threat of a forced marriage leads a young woman to run off disguised as a soldier with her lover.[39] No good comes of defying one's family either, however, especially if this involves crossing status lines, as in "Punishment of Secret Marriage," the story of the Duchess of Malfi.[40] Her marriage to a steward ends in multiple killings by her brothers, including the murder of herself and most of her children. A number of stories hinge on familial economic issues of marital property, inheritance, or dowry. Other fruitful sources of disaster are the breaking of marriage promises and the rivalries of jealous lovers. Sexual relations play a much greater role here than in the picture presented by topical reports.

It is sexual territory, too, that empowers individuals to take up arms. The victims of adultery and rape—that is, the injured spouse and the violated woman—have the right to resort to violence. Conversely, those against whom righteous force can be used are unchaste. Avenging husbands exercise especially wide latitude in these tales. Harsdörffer explains: "Adultery is an abominable sin, which cannot be punished enough; because of this the laws (contrary to the fifth commandment) have authorized a man who catches his wife in such a crime to kill her with impunity."[41] The husband may punish the *"Ehrendieb"* (thief of honor), just as he could kill a thief who entered his house.[42] Harsdörffer does have reservations about such killings—hence the reference to the fifth commandment. The vengeful husband in "The Cruel Maxentius" is described as exceptionally savage for binding his wife to her lover's mutilated corpse, mouth to mouth, until she dies. But, Harsdörffer says, the grisly example did more to reform loose women than any precepts. Though unusually cruel, this husband was not the only one in the collection to think of locking up his adulterous wife with the lover's rotting corpse or body parts.[43] Harsdörffer condemns husbands who attack their wives without catching them in the act, but the narratives and their morals place few limits when the woman is actually guilty.

Rights to punish the unchaste are sometimes accorded to women as well, particularly in stories drawn from Harsdörffer's French source, Camus. "The Shameless Adulterer" grants a woman a parallel authority against adultery. After abusing his wife in every other way, the husband finally brings his mistress into their house. As the last straw, the wife is forced to witness their activities in her marriage bed. Finally she shoots them both, and although she could have fled, she justifies herself to the authorities: "The judges held this legitimate revenge much more worthy of pardon than punishment, since a man in such a case is permitted to take revenge in the very act, and so she went home vindicated."[44] Although Harsdörffer excises Camus's effusive praise of this woman's glorious memory, he endorses the verdict as gaining universal approval of the wise. In another story drawn from Camus, a woman justifiably kills her renegade lover. Though he had promised marriage, he refuses even to support their child, and when he goes as far as to deride her, she shoots him. Her deed is held justified by a court that legitimizes her child and sends her to a cloister.[45]

Even fuller approval is granted to women who use violence to prevent or avenge rape. In both this and another of his collections, Harsdörffer includes admiringly the story of a woman who averts rape by biting off the tip of her assailant's nose.[46] He compares with Judith a woman tricked into adultery by a man who impersonates her husband in the dark. On discovering the deception some time later, she stabs him multiple times with a stiletto, and the court rules her justified.[47] In another story based on Camus, a peasant girl raped by soldiers kills one in revenge, although she knows it will cost her life: she "did not want to outlive the loss of her honor (although she retained her virginity of soul unspoiled)."[48] The rape is conceived as an attack on the woman's personal sexual honor, justifying her direct action to counter it—a contrast with medieval conceptions of rape that had seen it as damage done to a woman's male guardians.[49] The women here are not only justified but lauded as heroines for the violent defense of their honor.

For Harsdörffer, crime was just one of many sources of knowledge, but one with special relevance to the workings of human morality and a decisive field for the exercise of moral choice. His approach to these issues marks a new elite sensibility; the cultivation of civility would engage individuals in rational self-discipline by fully recognizing the power of unbridled emotions (as embodied in bloody crimes). The two sexes would collaborate in freely reasoned sociability to both amuse and educate. In the playful contests of conversation, reason would always win out, with no compulsion required. Public authority, similarly rational, held purview over an ever-expanding monopoly of righteous violence. The violence of private persons was crime, with the possible exception of the still more intimate realm of protection against sexual damage to one's honor. The scope of private power was shrinking toward the purely domestic (as in defense against housebreakers) and even toward the boundary of the body itself. But the creation of moral and intellectual meaning was a collective enterprise carried out in print and conversation—by private persons in an early conception of what Habermas calls the "public sphere."[50]

In this sense Harsdörffer, for all his seemingly traditional moralizing, points toward later developments, such as eighteenth-century celebrations of the free play of reason and of affective domesticity. In some other respects as well, he shows change away from earlier patterns. Although the Devil was certainly real to him and appeared in some stories, he was not nearly the constant instigator of earlier topical accounts; and in street literature too, the Devil appears associated mainly with witchcraft cases in the later seventeenth century. In Harsdörffer secular motives lead to crime, particularly indulgence of passions from love to envy and greed. This was God's theater, but humans acted in it based on pursuit of their desires. Given their differences of genre and purpose, Harsdörffer's stories gave more attention to the genesis of crimes than did most topical accounts, which retained a strong focus on punishment. But in Harsdörffer too the punishment, while usually described quite briefly, was essential to establishing God's moral control over events. Both in Harsdörffer and in crime news, one can trace a growing emphasis on conscience and the criminal's bad feelings as elements of punishment, partly taking the place of the detailing of physical punishments.

In other ways, Harsdörffer was far from moving in the directions of later attitudes. Two examples in particular will serve to measure his distance from the leading concerns of crime discourses in the preceding and following centuries. Infanticide, because it was so famously absorbing to later men of letters, helps to fix Harsdörffer firmly in his own historical moment. Increasingly prosecuted in his own time as a crime especially of unmarried women, infanticide still held little interest for Harsdörffer. The criminal mind, too, is a subject on which Harsdörffer's distinct perspective offers revealing contrasts, as he moved toward portraying the criminal as self-determining agent yet downplayed imaginative participation. Both the causes of illicit female sexuality and the inner life of the criminal held a fascination for the age of budding Romanticism that remained foreign to Harsdörffer.

Harsdörffer's stories were marked by themes of sexual passion and betrayal that were more typical of imaginative literature than of most real-life crime. In this sense, he can be seen as offering an erotic vision of criminality, even as he retains a strong focus on familial affairs. Putting these interests alongside the focus on child killing so prevalent in earlier topical accounts, one might have expected infanticide to attract his attention. The offense was rising in profile during the seventeenth century, increasingly criminalized both in Germany and elsewhere. But Harsdörffer was apparently immune to the allure it later exercised on proto-Romantic authors. By the mid-eighteenth century, literary scenarios of seduction and abandonment showed a new sympathy for errant young women. Courts began to find reasons to avoid imposing the death penalty for infanticide, long before it was officially abolished in the mid-nineteenth century.[51] Literati were vocal in the late-eighteenth-century outcry against its cruelty.

Among the many eighteenth-century authors who treated the theme of infanticide, the most towering was Johann Wolfgang von Goethe, who, like Harsdörffer himself, had opportunity to observe real-life cases. Rebekka Habermas and Tanja Hommen have recently analyzed a case from Goethe's early days in Frankfurt, a likely influence on his famous portrayal of Gretchen in *Faust*. Susanna Margarethe Brandt, tried in 1771, was like many other infanticides an unmarried woman of low social status, a servant. Although she confessed her crime, she depicted herself as passive, with agency attributed to her lover in the child's conception, to the Devil in the crime itself.[52] In Goethe's literary creation, Gretchen is seduced by Faust with the Devil's help, then despairingly kills their child and is condemned to death. Goethe vividly imagined and explored her suffering, his work the culmination of a literary trend that had already begun by the 1770s when Brandt was executed. This outlook was informed by a growing idealization of women as victims of male sexual predators, as well as a growing interest in the inner life of the condemned and other social outsiders.[53]

Women were executed for infanticide in Harsdörffer's Nuremberg as well; with relatives on the criminal court, he was in a position to follow cases of interest. The crime attracted remarkably little of his otherwise boundless curiosity, however. Infanticide was quite rare in his collection—perhaps appearing too mundane to arouse horror or wonder. The cases that did appear could be extreme, sometimes with a foreign setting in Italy used to explain excessive cruelty. In this vein, he presents the story of an adulterous woman who, enraged at her unfaithful lover, kills their baby by forcing a maid to jump on her until it is delivered, then tears out its heart and throws it to the dog.[54] Here as elsewhere in Harsdörffer's collection, the stress is on sexual relations more than on parent–child issues: the emotional centers are sexual passion, jealousy, adultery, lust. A case that came closer to the classic social scenario of infanticide, with an unmarried woman disposing of an illegitimate child, was drawn from Harsdörffer's own experience in 1641. The crime was fairly common at that period: Nuremberg records show three executions for infanticide in 1641–42.[55] Two were single women who had been impregnated by married men, the third a married woman who had committed adultery. All three had given birth secretly and disposed of their offspring. All were executed by beheading, two with their heads mounted afterward as warnings; these two had laid violent hands on the infants, while the other had merely let the baby fall into the privy.[56]

For events worthy of story, however, Harsdörffer turned to a different case—one that began in Nuremberg but concluded in Regensburg and that involved in its disaster not just the young woman but also a young man of good standing. In Harsdörffer's retelling, the young man was conscientious and hardworking but brought low by foolishness committed during a drunken binge. Having enjoyed the favors of a promiscuous washerwoman, he was egged on by his friends to give her a ring, an implicit promise of marriage. Despite the difference in their social status, the woman followed him to Regensburg to press her claim. The young man's employers backed up his refusal and sent her away; when the child was born, she killed it, was arrested and executed, and died denouncing the young man as a betrayer. The youth committed suicide after her execution.[57]

The parallels and contrasts with eighteenth-century concerns show ironies as well as reflections of change. In typical real-life infanticide cases, in the seventeenth century as in the eighteenth, both parties to the illicit sexual encounter tended to come from the lower ranges of social status. In the inventions of eighteenth-century writers, the seducer frequently morphed into a rakish nobleman preying on a daughter of the bourgeoisie. Thus abuse of class superiority compounded the violation of sexual mores to cause a tragic end. As scholars have pointed out, this social disparity was in fact rare, at least in cases that found their way into the legal system. But Harsdörffer's example was one of them: a young man of higher station embroiled with a social inferior. In his portrayal, however, it is the naive young man who is the victim. He sinned, yes; hence the moral lesson against lust. But the young woman, according to Harsdörffer, was practically a prostitute ("a promiscuous common girl," a "tramp") and the supposed marriage promise an impossibility. He doubts the paternity of her child, as the artless Huldrich "perhaps along with others had sinful intercourse with her."[58] In this context, her pursuit of him to Regensburg appears as opportunistic grasping, and she committed the infanticide in the hope of escaping punishment. Harsdörffer shows no sympathy with her or interest in her motives; but the unfortunate Huldrich "was deeply troubled at heart by this, that he was the cause of her and his child's death, and let himself be tempted by the spirit of death, so that he went home and threw himself into a well, and so became his own executioner."[59]

Harsdörffer had no hint of the later imaginative constructs that fed the eighteenth-century surge of sympathy for accused infanticides: no vision of women as childlike victims of men's lust or of upper-class debauchery as a danger to commoners. Accordingly, there is no problem here with accepted sexual norms or with the laws, which later critics came to see as harsh in their sanctions of disgrace and death. Instead, the problem is folly of the erring but hapless male, coupled with ruthless license and self-promotion by the lower-class woman. Marriage is cheapened and undermined by her preposterous claim. Attention goes not to the workings of her criminal mind, on which Harsdörffer wastes no ink, but to the inner turmoil of the lesser sinner. Crime provides lessons in the need for moral reflection, not social reform.

Equally distant from later notions is Harsdörffer's presentation of criminal psychology. In contrast to the Romantic vogue for probing the mind of the social outcast, including the criminal, Harsdörffer is spare in his treatment. He does use the language of conscience—for example, to insist that punishment is inevitable even when not apparent: "there remains a bad conscience, which at the hour of death will awake to condemn the evildoer."[60] (Note that the bad conscience appears not to bother the evildoer until that final moment.) Although his protagonists may be filled with passion and vengeful plotting, Harsdörffer's style is to turn away from their experience toward the drawing of general lessons. This tendency appears even in the rare instance where Harsdörffer quotes a criminal at length. In the *Mercure François* for 1609, Harsdörffer found the case of a loose woman condemned for complicity in murder. Here for once he borrows from his source to offer direct speech:

> "This," said she, "is the reward for my vanity. I die in my 26th year and wish that it had happened in the first moment of my life, so that God would not be so severely angered. You women, take an example and learn from my suffering to be wise. Accursed freedom! Oh, if I had obeyed my dear mother, I would not now be on this stage as the main character in this tragedy. Oh, had I followed my father's admonitions and not my foolishness instead, I would have been spared this shameful death! Dear children, obey your wise parents, if you do not want to fall into the hangman's hands like foolish me. Now, my God, I must die. Be merciful to me in your great mercy.[61]

In the *Mercure,* her words go on for pages. Harsdörffer's condensed version makes the statement more general—addressing children as well as women—and omits most of the commentary on her feelings. He retains the moral lessons and cuts the rest as inessential.

As in Harsdörffer's whole work, the goal is to cultivate reason more than feeling. The audience is to learn wisdom and shun folly—to observe the characters' feelings and avoid them, not to participate. Emotions and distinctive personalities appear less as invitations to experience than as abstractions. Thus one story focuses on "Landulph, a bold or rather audacious soldier (I say audacious, because bravery has its middle point of virtue between feeble timidity and wild rashness)."[62] Harsdörffer's interest is in choosing the word that best describes him and situating him along a continuum of conceptual qualities. Similarly, in describing actions, thoughts, feelings, and situations, there is a love for clever phrasing, aphorism, and moralistic generalization rather than cultivation of emotion. When a young woman is abandoned by her lover despite his promise of marriage signed in blood, "Nothing was further from Orlandina's mind than a breach of faith, and thus the forbidden fruit cost many tears, as the sign of ripe repentance followed, and she found herself pregnant against her hope." Then follows commentary on the foolishness of women who act similarly, having sex on promise of marriage: "Those who begin their marriage in this way learn that they have not acted wisely; the men believe that they will not deny to others what they have granted to them, and that the frailty of women stretches as far as their desires."[63] Such comments suggest not only a rejection of common customs based on betrothal as a near-marriage, but also a rejection of empathy.

The gallows speech that Harsdörffer borrowed from the *Mercure François* shared features that became common in both real and imagined scaffold speeches: regret for the crime, warning against following her bad example, prayers for God's mercy. But Harsdörffer's downplaying of emotion and inwardness contrasts with eighteenth-century examples and with the trend in street literature of crime. By the eighteenth century, such addresses from the gallows were fairly routine in popular print, composed by professional writers for those who had "died well," along with the alternative *"Moral-rede"* (moral address) that cast the criminal as listener rather than speaker, or the dialogue that offered both.

It is instructive to compare Harsdörffer's approach with that of the Munich publisher and writer Mathias Etenhueber, who in the mid-eighteenth century made a regular trade of printing official *Urgichten,* with his own moralistic rhymes attached. Unlike the selection of the most horrible that characterized ad hoc publications, these appear to have chronicled the "Well-Deserved Death Sentence" of every criminal executed. They were timely publications, evidently designed for distribution at the execution—with the proviso, as stated in an example from 1752, that they must not be sold before the confession had been read officially.[64] The dry recital of official facts was regularly supplemented by a *Moral-Rede* or similar reflections on the crime and its punishment. In the case of Johann Stachus, a "farewell speech" in verse partly personifies the sinner and partly addresses him, opening by imagining his horror at his coming death:

> O you most frightful sight! Pale yoke of purest fear,
> You scaffolding of dread! where law and justice bare

Their bloody instruments to punish wrong severe,
Did I for you myself such woful death prepare?[65]

Certainly, the author's goal was to warn others against criminality—but with focus on the miscreant's mental torment. There was no pretense that this first-person expression was actually that of the criminal. Etenhueber signed as the author, apparently with some pride. He similarly signed the "comforting dialogue between death and the poor sinner" in which Juliana Ingerlin, also twenty-two and condemned for repeated thefts in 1753, speaks. Again the rhyme emphasizes emotion of the condemned facing death: "The sword: O thunder-word!" Reproved by Death, she agrees that her fate was her own fault for her idleness and willfulness. She advises young women to learn from her to avoid the like. Bidding farewell to her father, she is overcome—"Grief cripples my tongue"—and finally commends herself to God.[66]

Although this cultivation of feeling was artificial and clearly aimed at deterrence of would-be criminals—and although Harsdörffer and Etenhueber surely agreed that the criminal should feel remorse at the moment of death—the response asked of the audience is different. The elite detachment of Harsdörffer contrasted with the emotive engagement of humbler productions, as he persistently engaged rational analysis in the taming of sensation. But though widely read in his day, Harsdörffer's approach had lost its appeal by the mid-eighteenth century. When crime came to the fore in high culture again, in the early Romantic sensibility of the late eighteenth century, it was more by way of feeling than of reason. Yet at the same time, Harsdörffer's images of crime marked important change in a number of ways. Crime could be tamed by a learned self-discipline. Not the indiscriminate attacks of Satan, but the failure of reason to dominate the passions, led malefactors astray. Crime was linked to the history of private life. Private violence was crime, bred in scenes often charged with sexual tension. Private right was limited to boundaries often aligned with the domestic and sexual. Such conceptualizations can be found in the transition to modern society beyond the world of crime as well.[67] And just as the state assumed control of violence, operating a theater of punishment that paralleled that of God, the construction of order took place in a private life of conversation and self-discipline that prefigured the eighteenth-century public sphere; for it was built on print and on free exercise of the mind and will.

Conclusion

EARLY MODERN DISCOURSES OF CRIME DO NOT HAVE A SIMPLE, LINEAR history. Instead, their development evokes a web, or even an ocean of shifting layers and currents. I have long enjoyed William Hesseltine's comment that "writing intellectual history is like trying to nail jelly to the wall"—although I suspect that it was meant disparagingly. Certainly it applies to cultural history as well. It is difficult to tease out meanings and relationships, and almost impossible to do so without mixing metaphors. But it is well worth the effort—even if our fingers do get a little sticky.

Early modern criminal justice possessed both an inherent logic and an inherent emotional charge. Law and punishment were the rational means of promoting both social order and increasing governmental power. Feeling, however, was an inevitable reaction: both to violations of law that inflicted harm on victims and to the physical application of punishment to suffering bodies. The expression of these rational and emotive elements in discourse was in a sense natural. Yet it was not simple, and as they became embodied in texts, these elements acquired rhetorical power that reverberated beyond the actions of criminality and justice themselves.

The authoritative rationality of a text like the Carolina succeeded not only in offering a practical handbook and standard for criminal trials, but also in modeling the roles and values desirable in practitioners of the new professionalism. Its representation of the ordered and rational behavior of legal officials presented a cogent ideal—one whose appeal is demonstrated not only by the spread of the Carolina code, but also by its kinship with the wider cultural model of upstanding common sense. Throughout the early modern period and on to the present, the conception of justice as a rational script unaffected by the emotions and biases of its actors has been a powerful promoter of civic loyalty. Even in texts like those of early sensationalism that focus on the emotive reaction of the public, the authorities are noted for their rational efficiency. They had feelings, of course, which could be embedded in the formulaic diction of official documents to underline the justice of punishment. But their actions as representatives of the state were conceived as impersonal, obeying purely rational imperatives—matters not of dispute or contest, but of self-evident reason.

In literature, the concept of rationality was applied less to punishing crime than to understanding it, blunting its threat by use of the intellect, as in the novels of Georg Wickram. One can trace a related thread in the approach of Georg Philipp Harsdörffer a century or so later. Here the action of intellect is not so much within the stories (though they have their share of plotters) as in the operations of author and audience. Each history of mayhem is a puzzle to solve—its moral message embedded by God, accessible to the inquiring mind, and a fit subject for edifying conversation.

If the depiction of crime as subject to reason had its institutional home in government, emotive response was most closely associated with another sphere of authority, the divine. The cultivation of emotion, long pivotal in Christian religious experience, was a central feature in the representation of crime in popular print. I have called this literature "sensationalist" (consciously applying a term invented later) to draw attention to the essential role of emotional appeal in its rhetoric.[1] In asking for empathetic response to crime and punishment, sensationalist literature promoted internalization of its normative values. These values could be presented as self-evident, even more convincing than the conclusions of logic, as they built on reactions to deeply transgressive violence. As murder became the central focus of publicized crime in the sixteenth century, it was not ordinary killings that gained attention but types that had long been deemed most heinous—especially the killing of kin or of masters, those to whom one owed deepest loyalty.

This focus could be seen as natural too: of course it is the most appalling crimes that gain most public attention, in the modern world as in the early modern. But however natural, this magnification of the worst is hardly neutral in its impact. Highlighting the heinous drew everyone into visceral agreement. Nobody thought it was acceptable to kill one's children or one's parents, or to disembowel pregnant women. Punishing such egregious criminals put the state indisputably in the right, no matter how grisly the punishment. The careful calibration of torments offered a means of aligning public outrage with the application of rational legal criteria. This was at a time when the state was enlarging its powers of punishment and in particular moving toward the strict criminalization of homicide.[2] Just as the Carolina's persuasive clarity could obscure the demotion of older legal styles, popular print downplayed the implications of government's widening reach. The prevailing image of justice, unquestioned in its retribution against the worst of crimes, surely eased acceptance of its expanding role against other offenders as well.

The entry of feeling into discourses of crime was not just a ploy to boost state building, however. These events had inherent emotional impact, which could be channeled and magnified by modes of presentation. Obviously, it was magnified first of all by reaching more people, the audience of print extending far beyond the local crowd that might witness the execution. It was magnified and modified also by appeals to the imagination. Audiences were invited not only to conjure up images of criminal acts and punishments, but frequently also to re-create the feelings of participants, especially victims in the early years but perpetrators as well. Such large-scale mobilizing of the imagination was made possible by print, compensating to some extent for the loss of immediacy as people responded to pieces of paper rather than flesh and blood.

Such cultivation of feeling and of common participation in public affairs also helped create a new kind of public.[3] Obviously this was not the "public sphere" of rational civic interchange identified by Jürgen Habermas as a marker of modern society in the eighteenth century. But as scholars have noted in other contexts, the public sphere was not shaped by pure reason, even in its classic Enlightenment-era forms. Construction of the cultural idea of a public bound by common values, embodied in circulating discourses and wide participation of the literate, began earlier. It was shaped by many forces, including the cut and thrust of Reformation polemics and other forms of public debate. It was also shaped by discourses that eluded debate. The sensational tended to constrain responses in prescribed directions; it discouraged argument; its patterns were frequently conventional and predictable. Nevertheless, its reception was not passive but insisted that people take it to heart, embed its experience in their lives and values. Rationalist texts, for their part, could be similarly constraining, not only in the authoritative law code, but also in the smug assumptions of prosperous common sense to be found in early bourgeois literature. In the context of crime, neither rational nor emotive rhetoric invited dialogue, at least not at first. Yet in neither could authors in fact control the processes of reception.

From one point of view, discourses of crime might seem marginal to the formation of a public culture. Crime is a sordid business, after all, and not the main stage of political history, even though its control created some of the most persistently visible signs of public power in early modern Europe.[4] There were other subjects of public discussion that might seem of more moment at any given point, other literary themes that struck resonant chords. Yet because of its connections with the deepest taboos and fears and the most basic instruments and rationale for political control, crime could get under people's skin in ways that other subjects might not. This was matter of life and death, of blood, kin, and generation, of sin and the soul, of survival in household and community, of God's judgment and the grounding of earthly authority. The invitations to relive its scenes implicitly drew on these currents of meaning. They promoted the conviction that crime indeed mattered—not only to those directly involved in violent acts or their punishment, but to everyone.

It is impossible to trace all the effects of such discursive persuasion with any precision. Still, the appeals to public imagination reveal widespread anxieties and preoccupations. The sense of danger to family and reproduction, so intense in the hard years of the late sixteenth century, linked murder with fears of witchcraft. Multiplying reports of both fed the sense of apocalyptic significance for readers like Johann Wick. At the same time, the more routine messages reinforcing piety and obedience to authority marked crime reports on into the eighteenth century and beyond. Alongside its propagandistic elements, this literature cultivated practices of imagination that link it, however distantly, with the growth of modern conceptions of individual subjectivity and with the exploration of vicarious experience that found eventual expression in the modern novel.[5] Obviously, these developments had other sources, and modes of depicting crime and criminals were themselves shaped by shifting literary conventions. But where else in the sixteenth and seventeenth centuries was there such persistent demand for imaginative empathy with real but unknown contemporaries? Where else the public probing of the inner presented by the criminal confession? However spurious these "ego documents," their increasing focus on imagined feeling opened the interior to public gaze.[6] Such imaginings of self and other formed a central though indefinable element of developing public culture.

The growing focus on inner torment superseded the earlier elaboration of physical pains. At the extremes of this study's chronology, the rhyme of Barthel the baker's apprentice, with its excruciating dramatization of his extended torment, contrasts strikingly with eighteenth-century norms, in which it is the contemplation of execution that causes suffering. Increasing reluctance to witness the abuse of bodies has been linked to the growth of humanitarianism as well as, in the analysis of Foucault, an intensified disciplining of the inner self. One can link this change also to shifts in the symbolic meanings attached to the body. In the moral economy of torture, bodily pain signified a path to truth, with overtones of purgative religious suffering, the cleansing away of both falsehood and sin. The theology of the Reformation undermined the religious side of this complex of ideas, but it was weakening in other ways also. This development clearly reflects cultural changes well beyond the realm of crime, but some suggestive associations do emerge from crime literature. The body could be seen as center of a newly self-contained private realm, as implied in the outlook of Harsdörffer and in the increasing elision of the criminal's body from the portrayal of execution. The changes also suggest an increased erotic element in the view of bodies, as images of tearing, impalement, and dismembering come to seem not just unpleasant but borderline obscene.[7]

Conceptions of crime and the self varied across cultures as well as over time. Comparison with early modern England helps shed light on the complex interactions between the discourse of crime and its social surroundings. In England, exploration of the inner life of perpetrators emerged earlier and took more elaborate forms. By the sixteenth century, the bards of crime were impersonating the condemned with vivid representations not only of their final remorse but also of the feelings that led them to transgress. Germany had a partial parallel in the unique song of Eva Barbiererin, but nothing like the emotional intensity or widespread popularity of early English farewell songs. The lament of the husband killer Eulalia Glandfield in 1591 incorporated ideals of both marital affection and personal self-expression as she pled with her parents not to force her into marriage: "With sighs and sobs I did them often move / I might not wed, whereas I could not love."[8] Familial violence in English crime literature centered on spousal relations, with child killing relatively rare. It was the personal and affective ties between men and women whose violation roused repeated attention. Instead of evoking the precious naivety of children or the poignant suffering of victims as in many German texts, English accounts, particularly in the popular broadside ballad, elaborated on the feelings of the criminal.[9]

England's early probing of the criminal mind may be related to differences in criminal procedures as well as its literary development. Instead of the rules of evidence derived from Roman law, as in Germany and the rest of Continental Europe, England relied on trial by peers. The jury system, from one point of view, is less focused on the criminal's voice than the standards of codes like the Carolina. No confession was necessary, no "ego-document" in which the culprit acknowledged and verified his or her guilt in the first-person voice. However, the need for persuasion could give an added role to such intangible factors as motive and character.[10] Undoubtedly, too, England's early development of public drama, separate from school and civic productions, nurtured a readiness among authors and audiences to imagine and impersonate characters from contemporary events.

By the eighteenth century, German authors too were focusing increased attention on the criminal's inner life, especially the sufferings of conscience in the period of repentance and punishment. In place of the earlier assumption that everyone needed God's grace to avoid a fall into sin and crime, there was an increased sense of secular causation, and the Devil played a less active role. The late eighteenth century saw not only the outpouring of concern for the plight of unwed mothers who fell afoul of the law, but also a more general consciousness of clashes between inner self and external rules for the "criminal." Thus the popularity of such titles as "A Man Guilty of Incest, Arson, and Murder All Together according to the Law, and yet a Youth of Noble Soul" and "Murderess, Unchaste Woman, Arsonist, and yet a Good Girl, Worthy only of Pity."[11] In these works it was not vice, original sin, or devilish seduction that led to crime, but rather a cruel combination of circumstances that led the protagonist to tragically impossible choices.[12]

This development of increasingly secular explanations for crime and increasing focus on the criminal mind have been noted by modern historians of crime. Karen Halttunen, for example, found such patterns in nineteenth-century American crime publications as compared with their forebears in the eighteenth century and before. Halttunen links this modern outlook to the Enlightenment's critique of original sin: if humans are basically good rather than essentially depraved, crime becomes an aberration rather than just an intensification of the universal tendency to sin. Instead of mere temptation operating on unregenerate human nature, people looked for new explanations in the criminal's particular circumstances or distinctive psychology.[13] Although this is an appealing argument, the picture becomes more complicated when one looks at the earlier history of crime discourses. The English example poses one problem for a conception of the Enlightenment as motor of change, because intensive exploration of the criminal's inner life and a trend toward more secular explanations had appeared there already in the sixteenth and seventeenth centuries.

At first sight, Germany appears to fit the pattern better. Certainly, early crime accounts there had little trouble explaining crime as the result of sinful submission to the Devil's temptation. When interest in the criminal's inner life appeared, it was less to explain crime than to dramatize punishment, at least at first. But rethinking of the criminal mind likely emerged less from enlightened critiques of original sin than from a combination of criminal justice procedures and imaginative trends. This appears to have been so in England, where motive and circumstance gained such early and vivid attention, long before anyone had jettisoned the notion of original sin and human depravity. In Germany, although most early works gave little attention to motive, the official confession could offer vicarious entry into the criminal mind—especially in precisely those cases where the individual offender did not fit established molds. Of course, ascriptions of inner feeling to culprits were often stylized and conventional, as in the hack journalism of the eighteenth century. But still there are some hints by the seventeenth century of increased interest in individual characteristics of the criminal, a more secular sense of causation, and less appeal to the Devil as *diabolus ex machina*. Harsdörffer, though he shied away from intense representation of the inner, assumed an element of rational motive even in the pursuit of one's evil passions: when people felt jealousy, ardor, or ambition, they plotted ways to satisfy themselves. Though inscribed into a Christian moral framework, these were agents choosing secular self-promotion, not souls in the inexorable grip of Satan.

The course of development in Germany, as in England, suggests that the growth of interest in criminal psychology predated Enlightenment challenges to the idea of original sin. It drew on the imperatives of criminal justice itself, with its need to define the guilty through confession or persuasion, as well as on public renderings of criminality in discourse. In a similar vein, Marianne Willems has traced the roots of Enlightenment-era criminal biographies not to academic studies or intellectual critiques, but to prototypes of the sympathetic criminal that appear in earlier bourgeois tragedies.[14] Ideas of human nature and the criminal were not simply trickling down from the realm of intellectual rationalism. Rather, they were were building on practices of imagination and feeling cultivated in different sectors and genres.

The shifting currents of crime discourses (to return to a metaphor that works as well as any) move and change across time, genre, social level, institutional and professional associations, and many other variables. Their shifting meanings have been a perennial source of fascination for a host of publics, stretching far into the past and continuing into our own days. Though often shunned by the squeamish, their voices are well worth listening to. By connecting the personal (violation of bodily boundaries and core values, probing of guilt, death and the soul) with the political (enforcement of order and legitimation of power), they speak to central matters of social existence. This is true even, or perhaps especially, when their content seems most aberrant and marginal. Just as early modern authors put criminal horror to cultural use, this dark matter becomes, for historical analysis, a source of light.

Notes

Introduction

1. See the sources cited in Wiltenburg, "True Crime," 1377.

2. See Langbein, *Torture and the Law of Proof.*

3. See Spierenburg, *A History of Murder,* 52–59; Schnabel-Schüle, *Überwachen und Strafen im Territorialstaat,* 247–48.

4. See Beier, *Masterless Men;* Scribner, "The Mordbrenner Fear in Sixteenth-Century Germany"; Behringer, *Kulturelle Konsequenzen der "Kleinen Eiszeit."*

5. See Spierenburg, *A History of Murder,* 15–16.

6. See Dülmen, *Theatre of Horror,* 40–41, 60, 113–17; Schubert, *Räuber, Henker, arme Sünder,* 49–50.

7. See Kittsteiner, *Die Entstehung des modernen Gewissens,* 347–48. On poetic attribution of remorse to women convicted of infanticide, see Kord, *Murderesses in German Writing,* 128–30.

8. Stallybrass and White, *The Politics and Poetics of Transgression.*

9. Künast, *"Getruckt zu Augspurg,"* 241.

10. See, e.g., ibid., 189.

11. See Wiltenburg, *Disorderly Women and Female Power,* 34–37, and the references there.

12. Künast, *"Getruckt zu Augspurg,"* 19, 136–37.

13. Haß, *Ein Spruch von einem Peckenknecht.* This is possibly a pun, as *Spruch* also meant a legal judgment: see Grimm and Grimm, *Deutsches Wörterbuch,* 17:165. This was certainly not the earliest printed crime publication. For analysis of fifteenth-century prints depicting the supposed ritual murder of Simon of Trent, see Areford, *The Viewer and the Printed Image,* 164–214.

14. See Künast, *"Getruckt zu Augspurg,"* 12–13.

15. Ibid., 13n.

16. Ibid., 136–37.

17. *Zwo vnerhörte vnd schröckliche Zeitungen / Die erste / wie daß ein Kauffmans Sohn sich an eine Dienst-magd verlobt. . . . Gedruckt nach der Niderländischer Copey . . .* (n.p., 1650), in Brednich, *Die Liedpublizistik im Flugblatt des 15. bis 17. Jahrhunderts,* no. 120; Waldis, *Eyne warhafftige vnd gantz erschreckliche historien; Newe Zeitung: Welcher gestalt / zween falsche Juden / durch Zauberey zuwegen gebracht* (1599); *Zwo Newe Zeitungen / Die erste . . . zween falsche Juden* (1599).

18. Dresler, *Augsburg und die Frühgeschichte der Presse,* 40. Hans Schultes and Valentin Schönigk clashed over unauthorized copying of two pamphlets. The one on crime, about a murderer named Mang, apparently has not survived.

19. Behringer, "Witchcraft and the Media," 215–36, 219–24.

20. Künast, *"Getruckt zu Augspurg,"* 59.

21. Ibid., 57.

22. Dresler, *Augsburg und die Frühgeschichte der Presse,* 36–37, 56.

23. Ibid., 44.

24. Buchner, *Ein Wunderbarlich vnd vnerhörtes Mirackel; Warhafftige Newe zeytung. Vnd ein Traurige Geschicht / in ein Lied verfast / von einer vngezognen Tochter.* This case was also widely publicized in France and has been analyzed in Chartier, "The Hanged Woman Miraculously Saved."

25. Benzing, *Die Buchdrucker des 16. und 17. Jahrhunderts,* 42.

26. See Breuer, *Geschichte der literarischen Zensur in Deutschland,* 23–29; Würgler, *Medien in der frühen Neuzeit,* 122–27.

27. *Ware Abcontrafectung ainer erbärmlichen / vnd erschröcklichen Newen Zeytung / so sich zu Erlingen / 4. Meil Wegs von Augspurg . . . verlauffen . . .* (Augsburg, 1589), in Strauss, *The German Single-Leaf Woodcut,* 3:948.

28. See Schilling, *Bildpublizistik der frühen Neuzeit,* 363–65; Dresler, *Augsburg und die Frühgeschichte der Presse,* 43.

29. *Ein grausame Erschröckenliche Geschicht / So geschehen ist im Obern grawen Pundt* . . . (Augsburg, 1593), in Strauss, *The German Single-Leaf Woodcut,* 2:493.

30. *Warhaffter vnd grundlicher Bericht / Vß was Vrsachen Martinus du Voysin . . . erstlich enthauptet* (1609).

31. For an example of a confession leaked to the press, see Behringer, "Witchcraft and the Media," 225–26.

32. "Den handel fleyssig zu erfaren"; "ein eigentlichen bericht"; "damit ich allen handel eygenlich sehe vnnd erfüre"; "hat mir der Burgenmeyster / der nun gar ein feyner bescheydner ehrlicher Mann ist / des handels eygentlich vnterrichtet / darmit so ichs inn Truck geben wolte / die rechts warheyt an tag keme / Denn es die viertzehen tag an vil orten / hin vnnd wider geschriben ist worden / aber doch kein eygenschafft / dann auff hören sagen": Wirri, *Eygentlicher vnnd warhaffter bericht* (1556), A1v, A2.

33. "Ich füege auch zu wissen / das ich das mein gedicht / Gemachet hab geflissen / Yedoch würt ich bericht / Das man mir ist vor kohmben / Vnd das gedichtet ab / Gebürt sich keinem [f]romben / Es ist vbel entnomben / Des ich [k?]hein wissen hab. / Mein Gruß thu ich entbieten / Yedem der Kunst lieb hat / Man wöll sich auch verhitten / Vor solcher vnthadt / Mein Tichten oder schreiben / Mir keiner entwenden thu / wirdt man mich darzu treiben / Jch laß es nicht beleiben / Schelt wort die wirff ich zu": Holtzman, *Ein New Kläglich Lied Von den Acht vnd dreissig Vbeltätern / die Haußnopper Geselschafft genandt* (1584), fol. 172–72a.

34. On bleeding of a corpse as a sign of murder, see Bächtold-Staubli and Hoffmann-Krayer, *Handwörterbuch des deutschen Aberglaubens,* 3:1046–55.

35. Wessel, *Warhafftige newe zeitung / vnd grüntliche beschreybung / Einer Gerichtshandlung / welche sich im Land Osterreich in einem Dorff Eybenstal* (1571).

36. Heinrich Wirri, *Ein wunderbarliche erschrockenliche warhafftige geschicht / so geschehen ist in einer Statt gelegenn in dem Elsaß / genant Rychenwyler / von einem Burger / der*

sich selbs / vnd sein weib / auch dz kind in Mutter leib ermördt hat / wie dan dise figur anzeigt (Solothurn, 1553), in Strauss, *The German Single-Leaf Woodcut,* 1:219.

37. See, e.g., Coupe, *The German Illustrated Broadsheet,* 1:13.

38. Haß, *Ein Spruch von einem Peckenknecht.*

39. "Dem Hencker seinen halss / zum streiche darauf reichen / Der so seineß Lehrers Stim / sein Hertz nicht lest erweichen": SBB, Yd 7852. The volume, part of the Meusebach collection, contains other types of pamphlets, including misbirths, disasters, carnival plays, and songs, dating from the mid-sixteenth century to about 1609. But it was the crime reports that were echoed in the inscription.

1 Crime and Society

1. Haß, *Ein Spruch von einem Peckenknecht* (ca. 1562, first edition 1515); *Kauff vnd liß mich / wann ich warn dich* (1519); Melanchthon, *Newe Zeitung, Wie newlich zur Newburg in Beiern einer genandt Alphonsus Diasius seinen Bruder Johannem, grawsamlich ermordet hat* (1546); *Ein Wunderbarliche / vnerhörte vnd warhafftige geschicht von einer Junckfrawen* (1544).

2. *Newe zeitung: Wie wunderbarlich Gott / den vnmenschlichen vn[d] vom Teuffel zugerichten grossen Bauch / an der Jungfrawen zu Eszlingen / offenbaret hat* (1551).

3. An exception was the Nuremberg chronicle of Heinrich Deichsler: see the discussion in Martin, *Verbrechen und Strafe in der spätmittelalterlichen Chronistik Nürnbergs.*

4. See Zmora, *State and Nobility in Early Modern Germany;* Scott, *Society and Economy in Germany,* 28–29, 157 (and references there); Schwerhoff, "Karrieren im Schatten des Galgens"; Kaminsky, "The Noble Feud in the Later Middle Ages."

5. Martin, *Verbrechen und Strafe in der spätmittelalterlichen Chronistik Nürnbergs,* 91.

6. *Die Chroniken der deutschen Städte,* 4:22–23, 39, 42.

7. Ibid., 4:235.

8. Ibid., 4:236–38. For similar patterns elsewhere, see Görner, *Raubritter,* 252.

9. *Die Chroniken der deutschen Städte,* 2:57–92 (Nuremberg).

10. See Zmora, *State and Nobility in Early Modern Germany.*

11. "Schnödigkeyt menschlichen Adels": Steinhöwel, *Der Spiegel des menschlichen Lebens,* fol. 21. See also Katrin Boskamp-Priever, "Mordgewohnte Blicke. Der Räuber in der Malerei," in Siebenmorgen, *Schurke oder Held,* 215–16.

12. "Wider das Mordlaster des Raubens": see Schwarzenberg, *Der Teütsch Cicero,* fols. 93–95; Radbruch, "Der Raub in der Carolina," 52; Scheel, *Johann Freiherr zu Schwarzenberg,* 313, 365.

13. "Etlich die soltens wehren / stehen dem rauben bey / Kain rauber künt sich neern wer jm kain land nit frey": Schwarzenberg, *Der Teütsch Cicero,* fol. 95r.

14. "Deß warn adels grunde / verkerens gantz vnd gar"; "hirttenn fressen schaff"; "Dann des Kaisers wirde / vnd adeliches plut / aller höchste zierde / das frid vnd recht sey gut": ibid., fols. 95r, 95v.

15. "Der bösen ist ein grosse schar / Jr straff macht mich verhasset gar. / Ich kan gehn jn nit sein zu scharpff / Jr gunst vnd hylff ich auch bedarff. / So ich jhn gan / gewinn vnd beüt / Mit jn bezwyng ich ander leüt. / Bey mir thünd sy als sün vnd

kind / Vnd dien mir als mein hoffgesind. / Hab auch darbey noch gute ruw / Drumb sih ich durch die finger zu": Schwarzenberg, *Der Teütsch Cicero,* fol. 93r.

16. Liliencron, *Die historischen Volkslieder der Deutschen,* 1:210–14.

17. "Da sie auf die Elbe kamen, / nicht vil gutes sie da vernamen, / sie sahen die köpfe stecken. / 'Jr herren, das seind unser mitgesellen!' / So sprach sich Störzebecher": ibid., 213.

18. *Drey newer zeyttung. Ein erschröckliche vnd erbärmliche geschicht* (1579); *Zwey erschreckliche Newe Lieder / Das erste von einem Kinde / das geborn ist in Yfland. . . . Das ander von einem Manne / der seine Fraw verkaufft* (1580).

19. "Reich schedliche Leut": *Ein new Lied / was sich mit den Echteren / so sich in Gotta vnd Grimmenstain gehalten / newlicher zeyt zugetragen hat* (1567).

20. *Ein warhafftig newes lied / von jhren vieren vom Adel* (ca. 1570). The woodcut was actually a depiction of Heracles, with his victims labeled Antheus, Tiphon, and Busiris.

21. "Wütigen Edelmann": *Warhafftige vnd Erschröckliche Newe Zeittung / von einem Edelmann im Land zu Sachsen* (1579).

22. *Zwo newe Zeittung / Die Erste / Ein erschröcklich vnd sehr erbärmlich Geschicht / so geschehen ist den letzten Februarij / in disem Achtzigsten Jar in Braband* (1580).

23. Seidenspinner, "Mobilität, Unehrlichkeit und Kriminalisierung," 157.

24. See Schuster, *Eine Stadt vor Gericht,* 217–20.

25. See, e.g., Jütte, *Abbild und Soziale Wirklichkeit des Bettler- und Gaunertums,* 30–31.

26. *Die Chroniken der deutschen Städte,* 5:115–17.

27. "Jtem so Reysig oder Fussknecht gewonlich bey den Wirttenn ligen vnnd zeren Vnd nit solliche Redliche dinst, hanndtierung oder güllte, die sy habenn, anzeigen khonnden, davon sy solliche zerung zimlich tun möchten: die seindt Argkwonig vnnd verdechtlich zu vielen bosenn sachen, vnnd allermeyst zu Rauberey, alls sonnderlichen vss vnserm vnnd des Reichs gemeynem landtfridenn zu mercken, darjnne gesatzt ist, das man solliche Buben nit leidenn, Sonnder annemen, herttigklich fragen vnnd vmb jre Misshendell mit ernst straffenn soll. Dessgleichen soll ein jede obrikeit vf die verdechtlichen Betler vnd Landfarer auch vleissigs vffsehens haben": Kohler, *Die Carolina,* 28, art. 39.

28. Cf. Angermeier, *Deutsche Reichstagsakten unter Maximilian I,* 5:368.

29. See Spicker-Beck, *Räuber, Mordbrenner, Umschweifendes Gesind,* 194.

30. "Ist er dan so ain frumer man / Ee das er args wöll vnder ston / So will er ee hie betlen gon": Siebenmorgen, *Schurke oder Held,* 252.

31. *Liber vagatorum. Der betler orden* (1510). See also Jütte, *Abbild und Soziale Wirklichkeit des Bettler- und Gaunertums;* Hotten, *The Book of Vagabonds and Beggars.*

32. See, e.g., Spicker-Beck, *Räuber, Mordbrenner, Umschweifendes Gesind,* 68.

33. See ibid., 324–25.

34. See, e.g., Jütte, *Poverty and Deviance in Early Modern Europe,* 27–29; Scott, *Society and Economy in Germany,* 250–53.

35. "Wie dann an diesen orten breuchlich ist, auff solche Gesellen acht zu haben": *Ein Wunderbarlich vnd vnerhört Erschröcklich Histori / so sich verloffen hat / zu Lutzern im Schweyzerlandt / den 12. Augusti. Anno 1560 . . .* (Nuremberg, 1560), in Fehr, *Massenkunst im 16. Jahrhundert,* Textbild 33, 96.

36. "Wie sein Vatter im Landt hin unnd wieder gemört, geraubt, und gebrendt, sine Mutter Wetter gemacht und vil böser stück angefangen": ibid.

37. For violations of the strict rules on torture and evidence laid down in the Carolina, see Spicker-Beck, *Räuber, Mordbrenner, Umschweifendes Gesind,* 264–67.

38. *Adj den Ersten tag Martij jm Lxx Jar hat man diese nachfolgende zwen Mörder gericht* . . . (Prague, 1570), in Strauss, *The German Single-Leaf Woodcut,* 1:162.

39. *Warhafftige Newe Zeitung. Oder Erzehlung / was massen Ulrich Oettinger von Ellingen / seiner vielfältigen mißhandlung halber . . . hingericht worden* (Augsburg, 1613), in Alexander and Strauss, *The German Single-Leaf Woodcut,* 2:564.

40. *Erschröckliche Warhafftige newe Zeittung von etlichen Mördern / wie sie sich dem Teuffel ergeben* (1583).

41. Herber, *Erschröckliche neuwe Zeittung. Vonn einem Mörder Christman genant.*

42. K., *Ein neüw Lied / vnd jämerliche geschicht / vom Martin Stier* (ca. 1572).

43. *Erschröckliche Warhafftige newe Zeittung von etlichen Mördern / wie sie sich dem Teuffel ergeben* (1583). Spicker-Beck also found an associate of Niers confessing in Freiburg: Spicker-Beck, *Räuber, Mordbrenner, Umschweifendes Gesind,* 55.

44. Spicker-Beck, *Räuber, Mordbrenner, Umschweifendes Gesind,* 68.

45. See Richard J. Evans, "Introduction: The Dangerous Classes," in Evans, *The German Underworld,* 2; Stuart, *Defiled Trades and Social Outcasts,* 94–97.

46. Holtzman, *Ein New Kläglich Lied Von den Acht vnd dreissig Vbeltätern / die Haußnopper Geselschafft genandt* (Vienna, 1584).

47. See Spicker-Beck, *Räuber, Mordbrenner, Umschweifendes Gesind,* 86–93;. Frohman, *Poor Relief and Welfare in Germany,* 11–22.

48. See Spierenburg, *A History of Murder,* 54–57.

49. See Schwerhoff, "Social Control of Violence," 229.

50. Schwerhoff, *Köln im Kreuzverhör,* 468.

51. Ibid., 466, 468.

52. Schnabel-Schüle, *Überwachen und Strafen im Territorialstaat,* 226.

53. See Spierenburg, *A History of Murder,* 4; Eisner, "Long-Term Historical Trends in Violent Crime."

54. Lacour, "Faces of Violence Revisited," 655.

55. Schwerhoff, *Köln im Kreuzverhör,* 458. If the crime of *Raub,* understood to involve killing as well as robbery, is included, the figure would rise to nearly 10 percent.

56. Schnabel-Schüle, *Überwachen und Strafen im Territorialstaat,* 226–27, 244.

57. "2008 Crime in the United States," Criminal Justice Information Services Division, U.S. Federal Bureau of Investigation, http://www2.fbi.gov/ucr/cius2008/data/table_01.html.

58. Schwerhoff, *Köln im Kreuzverhör,* 458–59.

59. "Mayster Hans was thut yhr da"; "Ich bin da kommen / vnd wil euch den gulden bezalen / den yhr mir gelyhen habt": *Anno XXXIIII / am freytag noch Sonntag Judica / hat Hans Reichart Glaser von Dietfurt / Burger allhie zu Regenspurg / an peynlicher frag / Nachmals auch gütlich bekendt / Wie hernach volgt* (Nuremberg, 1534), in Geisberg, *The German Single-Leaf Woodcut,* 4:1207.

60. *Abbildung des erschrecklichen abschewlichen vnd erbermlichen Mords / Welcher zu Hall in Sachsen . . . begangen worden an Jacob Spohr* . . . (Leipzig, 1605), in Alexander and

Strauss, *The German Single-Leaf Woodcut,* 2:718; *Eygentlicher / warhafftiger vnd gründlicher Bericht / Was für Urtheil vnd Recht Friderich Kersten außgestanden hat . . .* (Augsburg, 1605), in ibid., 1:194.

61. "Fürsichtige vnd fromme Obrigkeit / Die nicht acht der Person ansehn / Sondern thut gleich hin durch gehn": *Kurtze beschreibung von Friderich Kerschen* (1605).

62. Lacour, "Faces of Violence Revisited," 660.

63. Given, *Society and Homicide in Thirteenth-Century England,* 55–56; Bellamy, *Strange, Inhuman Deaths,* 2; Sharpe, *Crime in Seventeenth-Century England,* 127.

64. Schnabel-Schüle, *Überwachen und Strafen im Territorialstaat;* Honemann, *Einblattdrucke des 15. und frühen 16. Jahrhunderts,* 193n. Familial killings were also high in the findings of Nicole Castan for Toulouse around the turn of the eighteenth century: Castan, "La criminalité familiale."

65. See Harrington, *The Unwanted Child,* 120. But a case of multiple child killing almost occurred in Nuremberg, when in 1580 Anna Strölin killed one child and would have killed her other four if she had not been moved to pity: Schmidt, *A Hangman's Diary,* 119.

66. With the exception of an adulterous wife who plotted her husband's murder: *Eygentliche vnd Warhafftige anzeigung / welcher massen der beschehen Mordt zu Ober Hasel im Breüschthale / in dem Bistumb Straszburg . . . sich zugetragen / Anno M.D.LVII* (1557), in Strauss, *The German Single-Leaf Woodcut,* 1:108. See also *Valet-Lied A.M.T.G.D. Wegen durch Gifft Ertödteten Ehmanns Peinlich leidenden Sünderin* (1665). Another partial exception is in *Newe zeittung Vnd Erschröckliche gschicht / von einem Millknecht Jacob Ditz* (ca. 1579). Here the miller marries the rich widow for her wealth, then impregnates her daughter and kills his wife and other members of her household.

67. *Die Drit / von einem Küffer Christoff Bihl genanndt / Welcher 9. seiner Kinder jemerlich hat vmbgebracht* (1580), Zentralbibliothek Zürich, Wick F29, item 110, fols. 212a–214 (Wick gives only a fragment of the title page).

68. *Ein Jämerlich vnd Erbärmlich new Lied / Von einem jungen Gesellen* (1573).

69. *Wahrhafftiger Bericht / Von zweye jungen Handwercks knaben* (1629).

70. "Gantz toll vnd vnsinnig": *Warhafftige Zeitung / Zo niemals erhört / . . . zu Quedelburg in Sachsen mit einem Becken . . .* (Erfurt, 1621), in Brednich, *Die Liedpublizistik im Flugblatt des 15. bis 17. Jahrhunderts,* no. 117.

71. "Gieng all Tag zum Wein vnnd Bier / verzehrt also sein Gute"; "Mein lieber Mann thu es doch nit / denck an die thewre zeit / wie ich vnd deine Kinderlein / so grossen Hunger leyden": *Zwo warhafftige gewisse vnd erschröckliche Newe Zeitung. Die Erste: So sich zu Windischen Buch / im Boxberger Ampt gelegen. . . . Die ander: Ist ein erschröckliche vor nie erhörte Newe Zeitung von einem vngerathenen Ehemann / Georg Weiß genannt* (1623), A3.

72. *Zwo newe Zeittung / Die Erste / Ein erschröcklich vnd sehr erbärmlich Geschicht / so geschehen ist den letzten Februarij / in diesem Achtzigsten Jar in Braband* (1580). See also VD 16, http://www.bsb-muenchen.de/1681.0.html.

73. *Warhafftige / Erbärmliche vnd auch erschröckliche newe Zeytung / so sich Anno 1602. an der Herren Faßnacht bey Elbing in Preussen / . . . mit einer armen Wittfrawen . . .* (Danzig, 1602), in Brednich, *Die Liedpublizistik im Flugblatt des 15. bis 17. Jahrhunderts,* no. 126.

74. "Fürnemmen Person": *Warhafftige vnd schröckliche Newe zeitung / von einer Fürnemmen Person* (1585); "Angnem fürnem vnd wol bekandt / Wolhabendt inngesessen": *Ein Erschröckliche vnnd Klägliche Historj / von einem Mörder Blasi Enderlin genannt* (1585), 206a; *Ein warhafftige Erschreckliche geschicht so sich newlich zu Wangen durch einen Burger daselbst mit namen Blasius Endras so ein Gerichts Herr gewesen / zugetragen* (Lindau, 1585), in Harms and Schilling, *Die Sammlung der Zentralbibliothek Zürich,* 2:163; *Copia / Der Erschröcklichen Geschicht / Bläsin Endrisen* (1585).

75. *Zwo newe Zeitung / Die erste. Von einem Jüngling / welcher sein leiblichen Vatter erschlagen* (ca. 1583); *Klägliche newe Zeitung Von einem jungen Gesellen / Wie er seinen Vatter erschlagen hat* (1583).

76. *Jemmerliche Zeitung / vnd Schröckliche Mordthatten Frantzen Seüboldts / Bürger vnd Bierbreien zu Greffenberg . . .* (Nuremberg, 1589), in Strauss, *The German Single-Leaf Woodcut,* 2:700.

77. *Newe Warhaffte / Auch Erschröckliche Zeitunge: Wie ein Son vnd Dochter . . . jhren Leiblichen / Natürlichen Vatter / Hauptman Jacob Eliner . . . Ermördt haben* (1595).

78. *Zwo vnerhörte vnd schröckliche Zeitungen / Die erste / wie daß ein Kauffmans Sohn sich an eine Dienst-magd verlobt . . .* (n.p., 1650), in Brednich, *Die Liedpublizistik im Flugblatt des 15. bis 17. Jahrhunderts,* no. 120; *Eigentlicher Bericht und traurige Zeitung / Von unterschiedlichen Wunderzeichen* (1673).

79. *Zwey überaus schöne Lieder. Das Erste: Von einer erschröcklichen Mord-Geschicht.*

2 Law and the Rational Hero

1. An early version of the following argument appeared in Wiltenburg, "The Carolina and the Culture of the Common Man."

2. Schmidt, *Einführung in die Geschichte der deutschen Strafrechtspflege,* 110.

3. See Tengler, *Layenspiegel.*

4. See the literature cited in Ullmann, *Geschichte auf der langen Bank,* 1–3.

5. Kohler and Scheel, *Die Peinliche Gerichtsordnung,* 4–6. See Dawson, *A History of Lay Judges,* 96–109.

6. Stintzing, *Geschichte der deutschen Rechtswissenschaft,* 39, 43–45, 607–11.

7. See Langbein, *Prosecuting Crime in the Renaissance,* 155–62.

8. See Kohler and Scheel, *Die Bambergische Halsgerichtsordnung,* esp. 4.; Scheel, *Johann Freiherr zu Schwarzenberg.*

9. Kohler and Scheel, *Die Bambergische Halsgerichtsordnung.*

10. Schmidt, "Die Carolina," 1–34, 8; Hippel, *Deutsches Strafrecht,* 173; Stobbe, *Geschichte der deutschen Rechtsquellen,* 2:247–50.

11. "Doch wollen wir durch dise gnedige erinnerung Churfürsten, Fürsten vnd Stenden an jren alten wolherbrachten rechtmessigen vnnd billichen gebreuchen nichts benommen haben": Kohler and Scheel, *Die Peinliche Gerichtsordnung,* 6; Weber, "Die peinliche Halsgerichtsordnung," 288–310.

12. Schmidt, "Die Carolina," 9.

13. See Schroeder, *Die Carolina.*

14. The Carolina was adopted into territorial laws in Cologne (1538), Pomerania (1566), and Brunswick-Wolfenbüttel (1564) and was cited in codes including those of Württemberg (1551), Mecklenburg (1570), Münster (1571), and Frankfurt (1578):

Hippel, *Deutsches Strafrecht,* 223–24. But Bavarian law ignored it, and other localities, such as Freiburg, Zwickau, and the Palatinate, used it selectively or only occasionally: Schmidt, "Sinn und Bedeutung der Constitutio Criminalis Carolina," 249–51; Weber, "Die peinliche Halsgerichtsordnung," 302. See also Kunze, "Der Fall der Bäuerin von Winden," 203.

15. Stintzing, *Geschichte der deutschen Rechtswissenschaft,* 627n.

16. See Behrisch, *Städtische Obrigkeit und soziale Kontrolle,* 160–61.

17. Nagler, "Die Geltung der Carolina in Basel," 43–49. On its reception generally, see Schroeder, *Die Carolina.*

18. Schmidt, "Sinn und Bedeutung der Constitutio Criminalis Carolina," 249–50.

19. Kohler and Scheel, *Die Peinliche Gerichtsordnung,* 46–47, art. 83.

20. Ibid., xix–xxxix. Kohler and Scheel list some 350 copies of these sixteenth-century editions still extant in Germany as of 1900.

21. Döhring, *Geschichte der deutschen Rechtspflege seit 1500,* 9–16, 50–52; Maurer, *Geschichte der Städteverfassung in Deutschland,* 3:576–80. For a thorough examination of the composition of courts in one locality, see Weiss, *Die Gerichtsverfassung in Oberhessen.*

22. Kohler and Scheel, *Die Peinliche Gerichtsordnung,* xix–xxxvi.

23. Spicker-Beck, *Räuber, Mordbrenner, Umschweifendes Gesind,* 31. For a local study of its application in witch trials, see Ströhmer, *Von Hexen, Ratsherren und Juristen.*

24. In Reutlingen, the local authorities often imposed milder punishments than the Carolina, and in Frankfurt too it was tailored to local usage: Allen, "Crime and Punishment in Sixteenth-Century Reutlingen"; Meinhardt, "Das peinliche Strafrecht der freien Reichsstadt Frankfurt am Main." See also Kunze, "Der Fall der Bäuerin von Winden."

25. On the contested reception of Roman law, see Strauss, *Law, Resistance, and the State,* esp. 31–55; Schnabel-Schüle, *Überwachen und Strafen im Territorialstaat,* 34.

26. See Strauss, *Law, Resistance, and the State;* Stintzing, *Geschichte der deutschen Rechtswissenschaft,* 39, 43–45.

27. Maurer, *Geschichte der Städteverfassung in Deutschland,* 3:570–80; Döhring, *Geschichte der deutschen Rechtspflege seit 1500,* 35–37; Radbruch and Kaufmann, *Die Peinliche Gerichtsordnung,* 21.

28. *"Richter"* is the most common noun in the Carolina, and *"straffen"* one of the most common verbs: see Saueracker, *Wortschatz der Peinlichen Gerichtsordnung Karls V;* Kohler and Scheel, *Die Peinliche Gerichtsordnung,* 7, art. 1. On the Carolina's elevated standard for judges, see Schmidt, *Einführung in die Geschichte der deutschen Strafrechtspflege,* 137–39.

29. Kohler and Scheel, *Die Peinliche Gerichtsordnung,* 26, art. 35.

30. Ibid., 41–42, arts. 71–72.

31. "Fromen, erbern, verstendigen vnd erfaren personen": ibid., 7, art. 1. See also Saueracker, *Wortschatz der Peinlichen Gerichtsordnung Karls V;* Grimm and Grimm, *Deutsches Wörterbuch.* Langbein translates *"verständig"* as "knowledgeable": Langbein, *Prosecuting Crime in the Renaissance,* 267. The best English equivalent would actually be the literal "understanding," except for this word's connotation of sympathy in modern English.

32. "Wie eyn jetlicher on zweifel für sich selbst zu thun geneygt vnd desshalben von dem Almechtigen belonung zu empfahen verhofft": Kohler and Scheel, *Die Peinliche Gerichtsordnung,* 6.

33. "Ein jeder fleissiger vnnd verstenndiger": ibid., 24, art. 31.

34. "Ein jeder verstenndiger": ibid., 35, art. 53.

35. "Nach ermessung eins guten Vernunfftigen Richters": Kohler and Scheel, *Die Peinliche Gerichtsordnung,* 37, art. 58.

36. See also Lutz, *Wer war der gemeine Mann?;* Blickle, *Communal Reformation,* 4–5.

37. "Wol mercken vnd erkennen"; "Jst die anngezeigt kurtz erclerunge vnd warnung derhalb vss guten vrsachen geschehenn, Damit der gemein man etwas verstanndts der Rechten daruss neme": Kohler and Scheel, *Die Peinliche Gerichtsordnung,* 77, art. 146.

38. "Jedoch haben disse felle zu zeitten gar subtile vnnderschidd, die dem gemeinen man, so ann den peinlichen gerichten sitzenn, verstenndig oder begrifflich nit zu machen sein: Hierumb sollenn die vrteiller jn disen obgemellten fellenn allen, wan es zu schullden kompt, angezeigter erclerung halb, der verstenndigen leuthe Rat nicht verachten, sondern geprauchenn": ibid., 77, art. 146.

39. The Bambergensis provided woodcuts and rhymes as well as the legal text, with the explicit statement that they would communicate more effectively to the common man ("vmb eigentlicher merckung vnd beheltnus willen des gemeinen mans"): Kohler and Scheel, *Die Bambergische Halsgerichtsordnung,* 4.

40. Kohler and Scheel, *Die Peinliche Gerichtsordnung,* 38–39, art. 61.

41. "Erstlich, ob der verdacht ein solliche verwegene oder leychtfertige person von bosem leymadt vnnd geruch sey, das man sich der Missethat zu jr versehen möcht": ibid., 20, art. 25.

42. The criterion of reputation could also be used by lesser courts in deciding whether to hand culprits over to the criminal courts that applied the Carolina: see Wettmann-Jungblut, "Stelen inn rechter hungersnodtt," 141.

43. Schwarzenberg, *Das Büchlein vom Zutrinken.* The kinship between popular literature and legal discourse is partly a product of shared personnel. As the rising profession of literate laymen, legal officialdom produced many authors, including Brant, Schwarzenberg, and Wickram, as discussed later in the chapter.

44. See Schilling, "'History of Crime' or 'History of Sin'?" 289–310; Chrisman, *Lay Culture, Learned Culture;* Engelsing, *Analphabetentum und Lektüre.*

45. My thinking here is indebted to (among others) Darnton, *The Great Cat Massacre.* See also Weisberg, "Proclaiming Trials as Narratives," 61–62; Schönert, *Erzählte Kriminalität.*

46. "Der Feind aller Städte": Scheel, *Johann Freiherr zu Schwarzenberg,* 79. See also Wolf, "Johann Freiherr von Schwarzenberg."

47. See Wåghäll, "Dargestellte Welt—Reale Welt"; Christ, *Literarischer Text und historische Realität.*

48. "Kumen . . . auf die spur"; "mit geschwinder practic": Wickram, *Von Guten und Bösen Nachbaurn,* 56, 160.

49. "Heinrich ein guter einfaltiger junger / verstund die red nit / wo hienaus sie

langen oder raichen wolt / oder was Ferdinandus darmit gemeinet": ibid., 161.

50. "Überschwencklichen frechheit unt mutwillen / so er an allen orten beging": ibid., 51.

51. See Martin Luther's translation, *Biblia: das ist die gantze Heilige Schrifft deudsch. Die Luther-Bibel von 1534: Vollständiger Nachdruck* (Cologne, 2003).

52. "Daß hier in Zukunft nimmer wäre / eim' großen Herrn zum Wohlgefallen / ihm eine Sache zugefallen, / eh' ihr den Fall vom Grund verstehen / und allenthalben taten b'sehen": Rebhuhn, *Susanna,* 107.

53. Birck, *Sämtliche Dramen.*

54. "Die wyber stecken vol bübery / Darff sy ein by ir ligen lon / So darff sy ouch ein eyd hie thun": ibid., 29.

55. "Den eyd wölt ich ir geben han / Als wol als einem alten man / Die mich hierinn gestraffet hand / Die hend warlich gantz kein verstand / Im rechten noch in billigkeit / Sy stecken wol vol listigkeit / Man soll hierinn nit sehen an / Ob sich ein wyb oder ein man / Die frowen schender solt man schlecht / Hinweg thun uß gricht und recht": ibid., 33.

56. "Sond nit zu seer uff die person / Unser achtung und duncken lan / Das plend das gmüt fast so man wil / Uff das ansechen achten vil / Gott durch den knaben uns bedeut / Ein regel der gerechtigkeit": ibid., 45.

57. See Eibach, "Versprochene Gleichheit—verhandelte Ungleichheit."

3 Crime into Text

Portions of this chapter originally appeared in Wiltenburg, "Formen des Sensationalismus in frühneuzeitlichen Kriminalberichten."

1. On censorship, see, e.g., Weber, *Wunderzeichen und Winkeldrucker,* 43; Breuer, *Geschichte der literarischen Zensur in Deutschland,* 28–29. For cases of endorsement, see *Ein grausame Erschröckenliche Geschicht / So geschehen ist im Obern grawen Pundt . . .* (Augsburg, 1593), in Strauss, *The German Single-Leaf Woodcut,* 2:493; *Ware Abcontrafectung ainer erbärmlichen / vnd erschröcklichen Newen Zeytung / so sich zu Erlingen / 4. Meil Wegs von Augspurg . . . verlauffen . . .* (Augsburg, 1589), in Strauss, *The German Single-Leaf Woodcut,* 3:948.

2. See Wiltenburg, "True Crime."

3. See ibid., 1381.

4. See Robisheaux, "The 'Queen of Evidence.'"

5. "Anderst wiß vnnd künd er mit warheit nit sagen, man martere vnnd peinige jn wie man wöll"; "Sei also die sach also wie hieob vnd auch jn iungster vrgicht erzelt, warhafftig beschaffen, vnd da es anderst ergangen were, wolt er es gern sagen, dann er lieber sterben als sich lang darüeber martert lassen wolt, vnd nimbt Gott zu zeugen, das er die warheit gesagt": Stadtarchiv Augsburg, Urgichten 1585c, VI, 14, Paul Endres.

6. For discussion of the issues involved in interpreting confessions, see Robisheaux, "The 'Queen of Evidence'"; Roper, *Witch Craze,* 44–66.

7. See Dülmen, *Theatre of Horror,* 24.

8. Kohler and Scheel, *Die Peinliche Gerichtsordnung,* 71, art. 137.

9. "Er sÿ die tochter, glicher gstallten Wie den Allten mann, Ermördett zetodt ge-

schlagen, vnd allso erbërmbklich vmbbracht, vnd dardurch, Ein zwÿffache, grusame, vnd vnnerhörte, Erschreckhennliche Mortthatt, beganngenn vnnd gestifftet habe": Stadtarchiv Basel, Crim. 21 S6.

10. Wirri, *Eygentlicher vnnd warhaffter bericht.* On the often unsympathetic witnessing of executions by writers of sixteenth-century autobiographies, see Lumme, *Höllenfleisch und Heiligtum,* 40–45.

11. *Anno XXXIIII / am freytag noch Sonntag Judica / hat Hans Reichert Glaser von Dietfurt / Burger allhie zu Regensburg / an peynlicher frag / Nachmals auch gütlich bekendt / Wie hernach volgt* (Nuremberg, 1534), in Geisberg, *The German Single-Leaf Woodcut,* 4:1207.

12. Haß, *Ein Spruch von einem Peckenknecht.*

13. *Kauff vnd liß mich / wann ich warn dich* (1519).

14. See Wiltenburg, "True Crime."

15. *Erschröckliche geschicht. So vor der Weitberüm[m]ten Statt Augspurg / in eim Garten geschehen / von einem Vbelthäter / Paulus Maurer genandt / So zwey Alte Leut / Ermörd / mit namen / Veit Selig / sampt seiner Haußfrawen / vnd sie beyde in ein Heimlich gemach geworffen. Nach dem ist der Thäter zu Stutgart gefangen / vnd gen Augspurg gefur [*sic*] / vnd im Hewmonat vom Leben zum Todt Gericht worden* (1585).

16. See Brednich, *Die Liedpublizistik im Flugblatt des 15. bis 17. Jahrhunderts.*

17. "Thet er die zwey gräwlich ermörden / Ach Gott der grossen pein": *Erschröckliche geschicht. So vor der Weitberüm[m]ten Statt Augspurg / in eim Garten geschehen* (1585), fol. 207a.

18. "Die zwey Altefrommen"; "auß hertzen freud"; "stellet sich frölich vnnd auch frisch": ibid., fols. 206a, 207.

19. "Hab auch weder für essen noch trincken nichts bezalt"; "gar jämerlich": Stadtarchiv Augsburg, Urgichten 1585c, VI, 14, Paul Endres. "Sie hat sich gewehret lange / die gute Fraw durch Not: Vil streich hat sie empfangen / biß er sie bracht zum Tod": *Erschröckliche geschicht. So vor der Weitberüm[m]ten Statt Augspurg / in eim Garten geschehen* (1585), fol. 207a.

20. Füglin, *Beschreibung eines grausamen Mordts.* Füglin later published a German translation of Johann Weyer's attack on witch hunting, *De praestigiis daemonum.* See also Berner, *"Die gute Correspondenz,"* 226–27n; Alphabetischer Zentralkatalog der Zentralbibliothek Zürich, http://www.zb.uzh.ch. For more complete analysis of this case, see Wiltenburg, "Patricide and Pathos."

21. Meyer, *Ein kläglich lied von dem erschrocklichen vnd grausamen Mordt* (1569). Presumably, there was at least one earlier Basel edition. Mayr, *Ein erschröckliche Historia vnd geschicht / von dem kläglichen vnnd erbärmlichen Mörden,* appeared in both Augsburg and Dresden in 1566.

22. "One alle marter"; "Disen allten, ligend jnn dem Bett, allso jämerlich, ermördet, vnd vmbbracht haben": Stadtarchiv Basel, Crim. 21 S6.

23. Interestingly, a version of this picture was later used to illustrate another murder of a young woman near Frankfurt in 1570. The bed, baptism, and hammer remain (none of them relevant to the later killing), though the figure of Andres Hager has been removed from the bed. The image is the same in design but not execution as the one in the edition of Meyer's song from Basel in 1569, so it must come from another (lost?) edition: see *Ein newes lied von dem grausamen vnnd sehr schrecklichen Mord / So*

ein junger Gesell / ein meil wegs von Franckfurt am Meyn / Sprendlingen genannt / an eines frommen Pfarrhers Tochter / vnd seines Sons Kind / ein Kneblein von v. Jaren begangen hat . . . (ca. 1570).

24. "Ein kleine vnachtpare person / vnd vornenhar anzuschawen / als ob sie kaum ein todtes schaaf (wie man spricht) antasten / ich will geschweigen zwei läbendige menschen anfallen vnd ermörden dörffte": Füglin, *Beschreibung eines grausamen Mordts,* 5.

25. "Biß lestlich der liebe mann / vnd vnschuldiger marterer / dem lieben Got / welchen er dann den lauff seines lebens trewlich vnd mit ernst gesucht / seinen geist auffgeben / befolhen / vnd also sein Bilgerfart säliglich beschlossen hatt": ibid., 8.

26. On bleeding of a corpse as a sign of murder and means of revealing the killer, see Bächtold-Staubli and Hoffmann-Krayer, *Handwörterbuch des deutschen Aberglaubens,* 3:1046–55.

27. "Wie sich dann solches in müssiggang für das erst / so denn in fressen / sauffen / spilen / auch andren leichtferigen üppigkeitten auß müssiggang harflissend": Füglin, *Beschreibung eines grausamen Mordts,* 5.

28. "Vnsers aller liebsten Vatterlandts wie auch anderer Politien vorstender / beide geistliche vnd weltliche / die sünden / schanden vnd laster / (von welcher wegen solche greüwel einfallend /) abzeschaffen / vnuerdrossen / ja eifferig vnd wachmündig seien": ibid., 4.

29. The Basel edition of 1565 offers a choice of tunes, from songs of lovers suffering separation, death, or rape, all songs that emphasize a suffering woman: "Köndt ich von hertzen singen," "Ich stund an einem Morgen," or "Das Fröwlin auß Brytanien." The Augsburg edition of 1566 specifies "Es wohnet Lieb bey Liebe," the tune of a popular tragic song in which lovers commit suicide after a failed rendezvous: see Böhme, *Altdeutsches Liederbuch,* 74–78, 346–47, 465.

30. "Sie erschrack sehr von hertzen / als wol zu dencken ist"; "O Got muß ich hie sterben / sprach sich das Meitlin from: / Ist dann kein mensch auff erden / der mir zu hilffe kum / So erbarm sich der Herr Jesus Christ / der für vnns arme Sünder / am Creütz gestorben ist": Meyer, *Ein kläglich lied,* A6v.

31. "Er hiel jn wie sein eygnen Son"; "Hertzlich thetten sich klagen / die selben werden leüt: / Das so bey hällem tage / so in rüwiger zeit / Solt gschehen sein ein solches leid / ": ibid., A4.

32. "O Gott wo soll ich auß. / Ach Jesus Christ was grosser not / hat mein Kind hie erlitten / durch den grausamen todt": ibid.

33. On the city's exchange with the local lord there, see Berner, *"Die gute correspondenz,"* 223n. See also Stadtarchiv Basel, Finanzakten G19, 376–78.

34. See Dülmen, *Theatre of Horror,* 7.

35. *Ein Erschröckliche vnerhörte Newe Zeyttung / von einem grausamen Mörder / der an seinem aygen fleysch vnd blut / vnd gantzem Haußgesindt verzweyflet ist* . . . (Augsburg, 1585), in Harms and Schilling, *Die Sammlung der Zentralbibliothek Zürich,* 1:162.

36. *Warhafftige vnd schröckliche Newe zeitung / von einer Fürnemmen Person* (1585).

37. *Copia / Der Erschröcklichen Geschicht / Bläsin Endrisen* (1585).

38. *Ein warhafftige Erschreckliche geschicht so sich newlich zu Wangen durch einen*

Burger daselbst mit namen Blasius Endras so ein Gerichts Herr gewesen / zugetragen (Lindau, 1585), in Harms and Schilling, *Die Sammlung der Zentralbibliothek Zürich,* 1:163; *Ein Erschröckliche vnnd Klägliche Historj / von einem Mörder Blasi Enderlin* (1585).

39. "Burger vnd Gastgeb zum schwartzen Adler / der Reichs Statt Wangen / zu forderst den gebotten Gottes / natürlicher vnd Menschlicher / auch angeborner Vätterlicher vnd Ehelicher liebin vnd trew / Deßgleichen den hoch verpeenten Constitutionibus, Kayserlichen Rechten / peinlicher Halßgerichts Ordnung vnd satzungen zu wider gehandlet": *Ein Erschröckliche vnerhörte Newe Zeyttung / von einem grausamen Mörder / der an seinem aygen fleysch vnd blut / vnd gantzem Haußgesindt verzweyflet ist . . .* (Augsburg, 1585), in Harms and Schilling, *Die Sammlung der Zentralbibliothek Zürich,* 2:162.

40. "Nachfolgende / wissentliche vnd offenbare gräwliche / jämmerliche / erschrockenliche / vnd zwar vnerhörte Mordt thaten / so er an seinem aygnen blut vnd fleisch / als seinem Eheweyb / dreyen Leyblichen Kindern / einem Knecht / vnd zwayen Mägdten / fürsetzlicher vnd Rachgüriger weyß / auß anraitzung vnd eingebung deß laydigen Teüffels / begangen": ibid.

41. "Jme zu woluerdienter Peen vnd straff / vnd mänigklichem zu einem erschrockenlichen abschäwlichen Exempel vnd Vorbild / darnach soll sein Arme Seel / dem lieben Gott befolhen sein": ibid.

42. "Also jämmerlich / vnd hochkläglich zugerichtet vnd Todt ligen / vnd verbleiben lassen. Der Allmechtig Gott / wölle sich deß vnschuldigklich vergossnen bluts / Gnädigklich erbarmen": ibid.

43. "Da hat sein schwanger Weib angefangen / was er doch alle Nacht mit dem Gsind für ein hader hab / jme dasselb vndersagt vnnd verwisen. Darüber hat sich der Mann gantz häfftig erzürnet / vnd weiln der zorn nit thut was recht ist": *Warhafftige vnd schröckliche Newe zeitung / von einer Fürnemmen Person* (1585), A2v.

44. On these stereotypes, see Wiltenburg, *Disorderly Women and Female Power,* 97–139.

45. "Darumb vil manches böses Wort / Hadert mit jm darneben"; "Das Weib nacket inn einem grimm / Lief nach jm dstuben hineine": *Ein Erschröckliche vnnd Klägliche Historj* (1585), 206a.

46. "Vnd sprach gelt ich will dir ein mal / Auffdrechen deine Sachen": ibid., 207.

47. "Ein solcher jämerlicher / erschrocklicher vnd vnerhörter Fall": *Copia / Der Erschröcklichen Geschicht / Bläsin Endrisen*, A2.

4 Crime and Christianity

Portions of this chapter originally appeared in Wiltenburg, "Crime and Christianity."

1. Edgerton, *Pictures and Punishment,* 165–88.

2. See Cohen, *The Crossroads of Justice,* 195–200; Schuster, *Eine Stadt vor Gericht,* 270–71; Schubert, *Räuber, Henker, arme Sünder,* 43–44, 50–51.

3. Cohen, *The Crossroads of Justice,* 197.

4. Camus, *L'amphithéâtre sanglant*. The Protestant Georg Philipp Harsdörffer later mined this collection for his own purposes (see chapter 7).

5. See Barnes, *Prophecy and Gnosis.*

6. See Groebner, *Defaced,* 87–123; Merback, *The Thief, the Cross, and the Wheel,* 17–21. On the religious and emotional meanings of death in Reformation Germany, see Karant-Nunn, *The Reformation of Feeling,* 189–214.

7. Dülmen, *Theatre of Horror,* 54–55.

8. "Hilf Gott das mir gelinge"; "Kommt her zu mir spricht Gottes Sohn": see Böhme, *Altdeutsches Liederbuch*, 80, 745.

9. E.g., *Warhafftige Zeitung / So niemals erhört . . . zu Quedelburg in Sachsen* (Erfurt, 1621) and *Warhafftige Beschreibung von einer schröcklichen Mordthat / so geschehen 1652 . . . in der Neisischen Herrschafft . . .* (Neisse, 1653), both in Brednich, *Die Liedpublizistik im Flugblatt des 15. bis 17. Jahrhunderts,* nos. 117, 121.

10. Melanchthon, *Newe Zeitung, Wie newlich zur Newburg in Beiern einer genandt Alphonsus Diasius seinen Bruder Johannem, grawsamlich ermordet hat* (1546).

11. Scheible, *Melanchthons Briefwechsel,* 4:346.

12. *Zwo newe Zeittung / Die Erste / Ein erschröcklich vnd sehr erbärmlich Geschicht / so geschehen ist den letzten Februarij / in diesem Achtzigsten Jar in Braband* (1580).

13. *Grausame erschröckliche Newe zeitung Von einem Würth in Osterreich* (1583); *Warhafftige Newezeitung / Von einem Wirthe / in Osterreich* (1584).

14. *Ein Wunderbarlich vnd vnerhört Erschröcklich Histori / so sich verloffen hat / zu Lutzern im Schweyzerlandt . . .* (Nuremberg, 1560), reprinted in Fehr, *Massenkunst im 16. Jahrhundert,* 96–98.

15. "Keins Menschen wird gar nicht verschont / wie er arbeit wird ihm belohnt / keinem wirds anderst geschehen": *Warhafftige Beschreibung von einer schröcklichen Mordthat / so geschehen 1652 . . . in der Neisischen Herrschafft . . .* (Neisse, 1653), in Brednich, *Die Liedpublizistik im Flugblatt des 15. bis 17. Jahrhunderts,* no. 121.

16. "Seit nüchtern vnd wachet / denn ewer widersacher der Teuffel gehet vmbher / wie eyn brüllender lewe / vnd suchet welchen er Verschlinde / Dem widerstehet feste im glauben / &c": Waldis, *Eyne warhafftige vnd gantz erschreckliche historien.*

17. There was a similar focus on feeling in Protestant collections of exempla, moral examples for use in preaching: see Currie, *Literature as Social Action,* 74. For a case study of the cultivation of tears in early modern Spain, see Christian, "Provoked Religious Weeping in Early Modern Spain."

18. "Da gab der ewig Gott sein segen / Da sie durch Gottes wort gelert / Das sie sich seliglich bekert / Mit ernst thet sich zu Gott ergeben"; "Wir sind gar elend leut auff erden / Wann wir von Gott verlassen werden / So sündigen wir all augenblick / Vnd ligen in des Teuffels strick / Der vns stets seines willens plagt": Waldis, *Eyne warhafftige vnd gantz erschreckliche historien,* A3v.

19. "Wann wer der theter noch verborgen / So stünd jr vil in grossen sorgen / Die in der sach warn hart verzickt / Aber got hats zum bessern gschickt / Der bößwicht wardt wol auffgezogen / Wann in der gut was als erlogen / Was er sagt man zoch jm die sayten / Damit gundt man zu warheyt layten / Do man sein vrgicht wol verhört / Wie ers allein het all ermört": *Kauff vnd liß mich / wann ich warn dich* (1519), A4.

20. See Stambaugh, *Teufelbücher in Auswahl.*

21. *Warhafftige zeittung / von Peter Nierschen vnnd seiner Gesellschafft* (1577); *Warhafftige Newe Zeittungen / Erschröcklich vnnd Erbärmlich* (1581); *Drey Wahafftige* [sic] *Newe Zeitung. Die sehr erschröcklich sind* (1582).

22. *Warhafftige zeittung / von Peter Nierschen vnnd seiner Gesellschafft* (1577); K., *Ein neüw Lied / vnd jämerliche geschicht / vom Martin Stier* (c. 1572), Wick F21, fol. 137.

23. *Erschröckliche Warhafftige newe Zeittung von etlichen Mördern / wie sie sich dem Teuffel ergeben* (1583).

24. "Nur schendlichen wollusts wegen / so sie mit dem Teuffel pflegen / der sie doch nur betrieget": *Gewiser Bericht deß Truten vnnd Hexenbrennens Bambergischen Gebiets* (1628), A1v.

25. *Zäuberische Zeitung / Wie eine Hexin durch Teuffelszkunst jren Sohn mit sonderlichen Aberglaubischen dingen zum Wildschiessen behülfflich gewesen* (1589).

26. "Die dicke Kandelgiesserin"; "Sie sey vom Teuffel jmmerzu / gewesen hart geplaget: / Hab jr gelassen kein rast noch ruh / jhr Gewissen genaget. Das sie nach all dem willen seyn / außstehen müssen Marter vnd Pein / die gantze zeit jhres Lebens": *Gewiser Bericht deß Truten vnnd Hexenbrennens Bambergischen Gebiets* (1628), A2.

27. "Denn jr Mutter gentzlich eine Zeuberin gewesen ist / die sich dem Teuffel ergeben / welcher jhr zu allem jrem begeren geholffen / geradten vnd gedienet hat": *Newe zeitung: Wie wunderbarlich Gott / den vnmenschlichen vnd vom Teuffel zugerichten grossen Bauch / an der Jungfrawen zu Eszlingen / offenbaret hat* (1551).

28. *Zäuberische Zeitung / Wie eine Hexin durch Teuffelszkunst jren Sohn mit sonderlichen Aberglaubischen dingen zum Wildschiessen behülfflich gewesen* (1589).

29. "Vnd auch daneben gesaget / das ihr ein schwartzer man mit zweyen lichten darzu geleuchtet hab / darmit sie dester bas hat gesehen / kans wol glauben / Deme sie gedienet / der hat ihr wider gedienet vnd das lohn gegeben": *Ein Wunderbarliche / vnerhörte vnd warhafftige geschicht von einer Junckfrawen* (1544), A3–A3v.

30. "Der Teufel griff jhn schröcklich an. / Er sprach du hast mir gerufft zu dir / drumb must du dich ergeben mir / oder ich nem dich jetzt / vnd führ dich mit mir in die Höll / drumb bsinn dich wol mein lieber Gesell": *Warhafftige Zeitung / So niemals erhört . . . zu Quedelburg in Sachsen mit einem Becken / mit Namen Heinrich Rosenzweig / welcher durch deß Teuffels List vnd Rath sein Weib vnd 6. Kinder jämmerlicher weise vmbgebracht . . .* (Erfurt, 1621), in Brednich, *Die Liedpublizistik im Flugblatt des 15. bis 17. Jahrhunderts,* no. 117.

31. "Gantz toll vnd vnsinnig er war / der Teuffel hett jhn bsessen gar"; "Der Teuffel laufft jhm nache / gleich wie ein brülender Löw / sechs kinder hatt er die bracht er auch geschwind vmb": *Zwo warhafftige trawrige newe Zeitungen. . . . Die erste / von einem Undervogt zu Bergen* (1623), A2.

32. See Hsia, *The Myth of Ritual Murder.*

33. See *Warhafftiger bericht von zweyen Juden die zwey Weiber bestelt haben / das sie jnen ein Christen Kind solten bringen . . .* (1574), in Harms and Schilling, *Die Sammlung der Zentralbibliothek Zürich,* 2:59; *Kurtze doch Warhaffte Relation, Welcher gestalt ein Jud zu Caden in Böheimb* (1650); *Warhaffte Abbildung der grausamen Mordthat / so die Juden bey Mieß in Böhmen an einem 4 Jährigen Christen-Knäblein verübet . . . 1675,* in Brednich, *Die Liedpublizistik im Flugblatt des 15. bis 17. Jahrhunderts,* no. 123.

34. Leonhard Thurneysser zum Thurn, *Warhafftige Abconterfeyung oder gestalt / des angesichts Leupolt Jüden* (1573), in Harms and Schilling, *Die Sammlung der Zentralbibliothek Zürich,* 2:34.

35. Thurneysser, *Ein warhafftige vnd Erschröckliche Geschicht / so sich begeben hat den*

andern tag Junij / auff Sant Marcellin tag / zu Franckfurt an der Ader / wie man 24 Juden verbrendt hat / vnd wie sie schröckliche ding bekandt haben / wie sie auch nach Keiserlichem Rechten gericht worden / sehr kurtzweylig zu lesen (1579).

36. *Warhafftige vnd Wunderbarlich / Newe zeitüng von einen pauren / der sich durch Zaüberey / des tags siben stund zu ainen wolff verwandelt hat . . .* (Nuremberg, 1589), in Strauss, *The German Single-Leaf Woodcut,* 2:701.

37. Roth, *Mord-Leich Predigt / Bey Begräbnüs / derer Vier erschlagenen vnd halb verbrenneten Cörper.* This publication was also revived in a new edition printed in Chemnitz in 1669: see VD 17, http://www.vd17.de.

38. Füglin, *Beschreibung eines grausamen Mordts,* 16–17.

39. "Jedoch vor grossem Hertzlaid vnd trawren / Javil mehr vor entsetzung Menschlicher Natur / wird solches kein Scribent leichtlich verbringen mögen": *Ware Abcontrafectung ainer erbärmlichen / vnd erschröcklichen Newen Zeytung / so sich zu Erlingen / 4. Meil Wegs von Augspurg . . . verlauffen . . .* (Augsburg, 1589), in Strauss, *The German Single-Leaf Woodcut,* 3:948.

40. "Viertzehen tag vor Weihenacht zu mir kommen ist / welches vier jar / fünffzehen wochen vnd fünff tag alt gewesen / sein büchlin gehabt / vnd gelernet": Schwanfelder, *Warhafftiger Bericht von dem jämmerlichen vnd erbärmlichen Mordt,* 3 (another edition is at Bayerische Staatsbibliothek, http://nbn-resolving.de/urn/resolver.pl?urn=urn:nbn:de:bvb:12-bsb00005777-0).

41. "Mag meniglich dencke[n] / wie mir zumut gewesen": ibid., 8.

42. "O liebe Tochter wie gehet es dir / wie liegest du so elend? Rieff sie laut: O Vatter Vatter / wie gehet mirs so vbel": ibid., 9.

43. "Meinem vnd der lieben Kinder vnfal hertzlich beweinet / vnd mit dem gebett dem lieben vnd getrewen Gott befolen": ibid., 10.

44. "O das ich je geboren bin / O das mich meine Mutter nicht im Bad ertrenckt hat. Vnnd da man jm meiner Tochter Messer / damit er die that gethan / gezeygt / hat er gesagt / wolt Gott das Messer stecket so tieff in meinem Hertzen / als es in jnen gesteckt ist / auff das das Kind noch lebet / vnnd die Jungkfraw gesund were. Item / O du schöne Jungkfraw / wie Mörderisch hab ich an dir gehandelt / vnnd hast mir kein leyd gethan": ibid., 6–7.

45. "Ist derhalben diß Exempel eine lebendige Predigt / nicht allein der Buß / sonder auch der gnaden Gottes in Christo": ibid., C2v.

46. "Damit er vns gleich als mit eine[m] ohr zupfet / auffwecken / vnd munder machen wilt / ob doch ja etliche einmal erkennen wolten / in was grosser gefahr / vnd schrecklichem Jam[m]er vnd elend sie in diser Welt leben vnd wandeln / vnd jhn lassen ernst werden / hülffe vnd rettung zusuchen": ibid., C1–C1v.

47. "Jüngsten Tag vnd vndergang der gantzen Welt"; "Vnnd zwar zu unsern zeiten sehen wir vor augen / daß die Axt an den Baum gelegt ist / werden wir nit bald buß thun / vnd gute frucht bringen / so ist es vmb wenig streich zuthun / so sind wir gar gefellet / wo wir nit auch ins ewig feuwer darzu geworffen werden / dafür uns aber der gütige Gott vnd Vatter vnsers Herren Jesu Christi genädigklich alle behüten wölle": ibid., C1–C2.

48. Senn, *Die Wickiana,* 7–13.

49. Ibid., 14.

50. On the illustrations, see ibid., 25.

51. "Unnd so der läser die flyßig besicht, so wirdt er sich größlich verwunnderen ab der Trübseligen zyth": Senn, *Johann Jakob Wick,* 75.

52. "Unser läben hie in disem zyt ist nüt anderist den iamer angst und not, ein lyden über das ander. Hand wir schon vil fröuden, so hand wir dester meer herzleyden. Nemglich die iuget, was ist sy anderist dan ein stäts gramen und grymen. Die Iuget ist der ruten der arbeyten, und den torrechtigen begerden ergen. Das alter ist nüt anders dan ein stete krankheyt, übel mögende und verdruz deß läbens, da kumpt ein krankheyt über die ander. Da ist vil sorgen. Der rych darff kein rüwigen mumpfel essen, wer gwaltig ist und über vil herschet der muß auch vil fürchten. Der arm hat nütt den lyden und iamer": ibid., 28.

53. "Dann gwüß mehr dann in hundert Jaren sind nitt so vil prodigia wunder und zeichen gstanden als in wenig Jaren wir gesehen und erlebt hand": ibid., 29.

54. See Barnes, *Prophecy and Gnosis,* 34–35, 275; Backus, *Reformation Readings of the Apocalypse;* Ulbricht, "Extreme Wetterlagen im Diarium Heinrich Bullingers," 149–76.

55. E.g., Zentralbibliothek Zürich, Wick F19, 249; F21, 85; F24, 267; F25, 76; F29, 114. For analysis of the collection's other witchcraft images, see Zika, *The Appearance of Witchcraft,* 194–207.

56. "Ich bedanck mich zum höchsten, das ir mir den letsten teil uwers wunderbuochs sovyl tag gelihen haben. Den hab ich mitt flyss und lust durchlesen. Bit üch, ir wöllen an diser arbeit nit erligen noch verdrossen werden, sonder fürfaren, dan daruss vyl nutz erwachsen wirt in kunfftig zut. Wirt werd sin, das alle teil diss buochs in ein buoch ordenlich gestellt werdint": Senn, *Die Wickiana,* 17.

57. Senn, *Johann Jakob Wick,* 75.

58. "Welches nitt allein zuo vil ergezlikeit dess menschen dienstlich, sonder auch zuo enderung undt besserung dess sündlichen läbens der welt nutzlich": Senn, *Die Wickiana,* 17.

59. See, e.g., Kenny, *The Uses of Curiosity,* 4.

60. On wonder, see Daston and Park, *Wonders and the Order of Nature,* 14–15.

5 Family Murders

1. Pauli, *Schimpf und Ernst,* 1:18.

2. "Ja zu Exempel hab ichs thn, / Damit die zarte Muterlein / Mit scharpffen Ruten schlagen drein / Vnd vbersehen nicht so vil / Ihrn lieben Sönlein mit dem Spiel": Spengler, *Der verlorene Sohn,* 149.

3. Groebner, *Defaced,* 67–86.

4. Spengler, *Der verlorene Sohn,* 150.

5. Ibid., 33–34, 52, 75, 104, 142.

6. "So dann schon der Ritter die ding beredt / kond im sein weib alwegen einen affen machen / wie dann solche Müterlein gewont seind / so dann sicht man auch wol / wie beiwylen ire sönlein gerhaten / die bei weilen irer meister straff und zucht verachten / biß sie zu letz den hencker zu einem schulmeister müssen annemen": Wickram, *Der Jungen Knaben Spiegel,* 30.

7. For a similar argument in a different context, see Wiltenburg, "Family Murders."

8. See Roper, *The Holy Household;* Harrington, *Reordering Marriage and Society in Reformation Germany.*

9. "Inn vergiessung menschen bluts / so grausame / erschrockenliche sachen etwan vor zeiten auch / aber je lenger je mer vff heütigen tag sich zu tragendt / vnd begebent. Also das nit allein die jenigen / so ein anderen etwas verwandt (wiewol wir in der warheit alle brüder vnd schwesteren sind) die hend ein anderen inn dem blut wäschen / sonders auch die aller nechsten blutsfreündt. . . . Vor wenig jaren hat ein vatter seinen leiblichen son / vmb einer eintzigen gufen willen erstochen. Vber wenig jar härnach ein son seinen vatter / von wegen seiner treüwen warnung steinhert zu todt gehauwen": Füglin, *Beschreibung eines grausamen Mordts,* 15–16.

10. "Trübseligen Zyth": quoted in Senn, *Johann Jakob Wick,* 75.

11. "Hüt dich vor Frawen vnd vor spil / Laß dich nicht vbergehn den Wein / Hüt dich wo böß Gesellen sein / Alßbald du jre werck verstehest. . . . / Mein lieber Son nun far dahin / Vnd brauch dich deiner Jugent recht / Dann mancher böser falscher knecht / Gibt offt den Jungen bösen rath": Haß, *Ein Spruch von einem Peckenknecht,* A2–A2v.

12. "Er stund bald auff vnd legt sich an / Vnd wolt den Hader vnderstahn / Als ainem Hawßwirdt zu geburt": ibid., A3v.

13. "Dz het denselben Peckenknecht / So barmhertzig angesehen / Vnd so freundtlich zu jm jehen / O lieber Barthel laß mich leben / Ich will dir all mein Docken geben / Wil dir zeigen meins vaters schlüssel / der mörder schneid jm ab sein drüssel": ibid., A4.

14. Waldis, *Eyne warhafftige vnd gantz erschreckliche historien.* Editions were also published in Strasbourg and Erfurt: see VD 16, http://www.bsb-muenchen.de/1681.0.html. A report evidently based on Waldis's account later appeared in Magdeburg, transposing the events to 1578: *Warhafftige vnd ersckreckliche [*sic*] Newe Zeittung / von eines Sältzers Weibe* (1578).

15. Waldis, *Eyne warhafftige vnd gantz erschreckliche historien.*

16. "Sie greyff erst nach dem eltsten sohn / Im seinen kopff zuhawen ab / Bald er zum fenster sich begab / Vnd wolt hinaus gekrochen sein / Beim beyn zog sie jn wider hinein / Vnd warff jn vff die erd darnider / Er macht sich auff / entlieff jr wider": Waldis, *Eyne warhafftige vnd gantz erschreckliche historien,* A2.

17. "Er sprach hertz liebste mutter mein / Verschon mein doch vnd laß dir sagen / Ich wil dir all das wasser tragen / Das dir den winter thut von nöten / Verschon mein doch wölst mich nit tödten. / Da halff keyn bitt es war vmb sunst / Ihrn willen schafft des Teuffels kunst / Sie schlug vff jn gleich nach der schwer / Als obs eyn frisches krautheupt wer": ibid., A2.

18. *Ein grausam vnd erschröcklicher Mordt so sich zu Deingen . . . begeben* ([Augsburg], 1561), in Strauss, *The German Single-Leaf Woodcut,* 2:763.

19. *Warhafftige vnd erschröckliche newe Zeitung. Von etlichen Jesuwittern. . . . Die ander Zeitung. So sich zu Hall im Ihnthal mit einem Burger* (1607).

20. See, e.g., *Klägliche newe Zeitung Von einem Jungen Gesellen / Wie er seinen Vatter erschlagen hat* (1583).

21. Fragment of title page, *Die Drit / von einem Küffer Christoff Bihl genanndt / Welcher 9. seiner Kinder jemerlich hat vmbgebracht* (1580), Zentralbibliothek Zürich, Wick F29, item 110, fols. 212a–214.

22. *Zwo Warhafftige Newe Zeitung / Die erst / Von einem Mörder / der sein Ehelich Weib / vnnd Sechs Kinder ermördet hat* (1599); *Warhafftige vnd erschröckliche newe Zeitung. Von etlichen Jesuwittern. . . . Die ander Zeitung. So sich zu Hall im Ihnthal mit einem Burger* (1607); *Drey warhafftige grundtliche Zeitungen / Die erste / Von ettlichen Hexen. . . . Die ander / Von einem Burger vnd Thuchmacher . . .* (1610).

23. See the references in chapter 3.

24. *Newe Zeittung vnd Warhaffte erzehlung / welcher gestalt ein reicher Bawr . . . Bernhard Kuntz . . .* (Augsburg, 1602), in Alexander and Strauss, *The German Single-Leaf Woodcut,* 2:452.

25. *Jemmerliche Zeitung / vnd Schröckliche Mordthatten Frantzen Seüboldts / Bürger vnd Bierbreien zu Greffenberg . . .* (Nuremberg, ca. 1589), in Strauss, *The German Single-Leaf Woodcut,* 2:700.

26. *Newe Warhaffte / Auch Erschröckliche Zeitunge: Wie ein Son vnd Dochter . . . jhren Leiblichen / Natürlichen Vatter / Hauptman Jacob Eliner . . . Ermördt haben* (1595).

27. *Zwo newe Zeitung / Die erste. Von einem Jüng-ling / welcher sein leiblichen Vatter erschlagen* (ca. 1583). On the same case, see *Klägliche newe Zeitung Von einem Jungen Gesellen / Wie er seinen Vatter erschlagen hat* (1583).

28. *Zwo vnerhörte vnd schröckliche Zeitungen / Die erste / wie daß ein Kauffmans Sohn sich an eine Dienst-magd verlobt . . .* (n.p., 1650), in Brednich, *Die Liedpublizistik im Flugblatt des 15. bis 17. Jahrhunderts,* no. 120; *Eigentlicher Bericht und traurige Zeitung / Von unterschiedlichen Wunderzeichen* (1673). For another unchaste and murderous daughter, see *Ein erschröckliche newe Zeittung / Welche sich zugetragen vnd begeben zehen Meil von Dantzig in der Haupstatt Lauenburg* (1664).

29. "Ja der angebornen Liebe / vnd Vätterlichen hertzlichen Trew / gegen seinen Leibeignen Kindern": Alexander and Strauss, *The German Single-Leaf Woodcut,* 2: 452.

30. "Als bey dem alle natürliche angeborne blutstrew verloschen": *Warhafftige vnd schröckliche Newe zeitung / von einer Fürnemmen Person,* A2v.

31. "Noch hat er kein Barmhertzigkeit nit / es war jm weder weh noch leyd": *Zwo Warhafftige Newe Zeitung / Die erst / Von einem Mörder / der sein Ehelich Weib / vnnd Sechs Kinder ermördet hat* (1599), A2v.

32. "Doch kunds das mutter hertz nit biegen": Waldis, *Eyne warhafftige vnd gantz erschreckliche historien,* A2v.

33. "Jhren Leiblichen / Natürlichen Vatter": *Newe Warhaffte / Auch Erschröckliche Zeitunge: Wie ein Son vnd Dochter . . . jhren Leiblichen / Natürlichen Vatter / Hauptman Jacob Eliner . . . Ermördt haben* (1595).

34. *Eygentliche vnd Warhafftige anzeigung / welcher massen der beschehen Mordt zu Ober Hasel im Breüschthale / in dem Bistumb Straszburg . . . sich zugetragen / Anno M.D.LVII* (n.p., 1557), in Strauss, *The German Single-Leaf Woodcut,* 1:108; *Newe zeittung Vnd Erschröckliche gschicht / von einem Millknecht Jacob Ditz* (ca. 1579). Here the miller marries the rich widow for her wealth, then impregnates her daughter and kills his wife and other members of her household.

35. *Drey Warhafftige Newe Zeittungen. Die Erste / Von dem gewaltigen . . . Wetter* (1598).

36. “Mit dem Vatter zu schertzen / das nam er bey dem Arm geschwindt / vnd stach jm nach dem hertzen”; “huben an zu weinen vnd sprachen / Vatter es hungert vns nicht”: *Die Drit / von einem Küffer Christoff Bihl genanndt / Welcher 9. seiner Kinder jemerlich hat vmbgebracht* (1580), Zentralbibliothek Zürich, Wick F29, item 110, fol. 214a.

37. “Ach du Hertz lieber Vatter mein / was hast du dich geziegen”; “ach Vatter laß mich leben / jhr solt mir weder Essen noch trincken / Kein Brodt in die Schul mehr geben. / Das namb er gar zu Hertzen nicht / der Ehr vergessen Bößewicht / gar nichts gieng jhm zu Hertzen”: *Zwo Warhafftige Newe Zeitung / Die erst / Von einem Mörder / der sein Ehelich Weib / vnnd Sechs Kinder ermördet hat* (1599), A2v.

38. “Vnd schrie gar bald von heller stimm / O weh Vatter sagt er zu jm / Was thust der Muter meine”: *Ein Erschröckliche vnnd Klägliche Historj / von einem Mörder Blasi Enderlin* (1585), fol. 207a.

39. “Das eltest thatte sprächen / ach lieber Brüder meyn / laß mich doch by dem leben / ich wil dir geben feyn / meyne newe Hößelin die ich han / die mir auch vnser Vatter / kurtzlich hat machen lahn”: *Warhafftiger Bericht / Von zweyen jungen Handwercks knaben* (1629), A2v.

40. “Sprach hab ich dir doch kein leyd gethan / warumb wust [*sic*] mich ermorden. . . . Gedenck daß ich mit grossem schmertz / 9. Monat dich getragen hab vnder meinem Hertz Gott wird dich darumb straffen”: *Ein erschröckliche newe Zeittung / Welche sich zugetragen vnd begeben zehen Meil von Dantzig* (1664), A1v.

41. See Wiltenburg, *Disorderly Women and Female Power,* 181.

42. See, e.g., *Zween Erschreckliche geschicht / Gesangs weise. Die Erste / von einem Wirt im Allgergaw / Bastian Schönmundt genandt* (1596).

43. See the discussion of this case in chapter 3, n. 30.

44. See, e.g., Cunningham, *Children and Childhood in Western Society,* 47.

45. *Copia / Der Erschröcklichen Geschicht / Bläsin Endrisen* (1585), A3.

46. *Ein grausame Erschröckliche Geschicht / So geschehen ist im Obern grawen Pundt . . .* (Augsburg, 1595), in Strauss, *The German Single-Leaf Woodcut,* 2:493.

47. Bynum, *Wonderful Blood,* 20.

48. “Langt Er das Hertz deß Vatters sein / schlug es jhm auffs Maul fraß es bald ein / der Sathan thet Jhn treiben”: Mayer, *Warhafftige Vnd erschröckliche newe Zeitung / so sich begeben hat in der Statt Emten in Friesland* (1619), A2.

49. “Fünff Frawen mit groß schwangern Leib / darzu sein eygen ehlich Weib / hats lebendig auff geschnitten / wie er bekandt hat der Bluthund / die geburt schlug er jr vmb den Mund / ach Gott laß dichs erbarmen. / Darumb daß er kein Knäblein fand”: *Eine warhafftige Newe zeyttung / so sich begeben hat zu Eschwein* (1597), A2. Striking in the mouth with viscera was an aggravated punishment for such high crimes as treason, so this can be seen as a parody of official action: see Evans, *Rituals of Retribution,* 31.

50. *Adj den Ersten tag Martij jim Lxx Jar hat man diese nachfolgende zwen Mörder gericht . . .* (Prague, ca. 1570), in Strauss, *The German Single-Leaf Woodcut,* 1:162.

51. *Warhafftige Newe Zeittungen / Erschröcklich vnnd Erbärmlich / so all Kurtzlich in*

disem 1581. Jar geschehen seind (1581); *Drey Wahafftige* [sic] *Newe Zeitung / Die sehr erschröcklich sind* (1582).

52. "Großbauchet weiber": K., *Ein neüw Lied / vnd jämerlich geschicht / vom Martin Stier* (ca. 1572).

53. *Warhafftige Newe Zeitung. Oder Erzehlung / waß massen Ulrich Oettinger von Ellingen / seiner vielfältigen mißhandlung halber . . . hingericht worden* (Augsburg, 1613), in Alexander and Strauss, *The German Single-Leaf Woodcut,* 2:564.

54. *Melcher Hedeloff / in gemein genant Schüzze Melcher / Ein Ertz-Meuchel-Mörder / vnd Strassen-Räuber . . .* (Schweidnitz, 1654), in Alexander and Strauss, *The German Single-Leaf Woodcut,* 2:432.

55. Schmidt, *A Hangman's Diary,* 94, 112; cf. my earlier comments, here revised, in Wiltenburg, *Disorderly Women and Female Power,* 210. On the magical uses attributed to fetal body parts, and for references to other cases, see Bächtold-Staubli and Hoffmann-Krayer, *Handwörterbuch des deutschen Aberglaubens,* 2:230–34.

56. Spicker-Beck, *Räuber, Mordbrenner, Umschweifendes Gesind,* 33.

57. *Drey newer zeyttung. Ein erschröckliche vnd erbärmliche geschicht / so sich ein meilwegs von der Statt Bremen* (1579); *Zwey erschreckliche Newe Lieder / Das erste von einem Kinde / das geborn ist in Yfland* (1580). The earliest version I have seen is fragmentary but shows the story was not exactly news in 1579–80: *Neuwe Zeitung / inn gsangsweiß. Wie ein Mann sein eigen Eeweib / welche groß schwanger eines kindts ware / den Mörderen verkaufft hat* (1575).

58. *Zwey erschreckliche Newe Lieder / Das erste von einem Kinde / das geborn ist in Yfland* (1580).

59. *Zween Erschreckliche geschicht / Gesangs weise. Die Erste / von einem Wirt im Allgergaw / Bastian Schönmundt* (1596). For a different, later version, see *Drey gantz Neue Anmüthige Gesänger* (n.d.).

60. See Deutsches Volksliedarchiv, *Deutsche Volkslieder mit ihren Melodien,* 4:314–49.

61. *Ein Gründtliche auch warhafftige vnd erschlöckliche* [sic] *newe Zeitung / von sechs Mördern* (1603).

62. "Die er lebendig geschniden auff / die Frucht von jhnen genommen. Vnd gebraucht zu der Zauberey / Menschen vnd Vieh gar mancherley / dar mit gebracht vmbs Leben": ibid., A1v.

63. *Ein New kläglich Lied / von dem grossen schaden der Unholden* (1583).

64. *Warhaffte vnd glaubwirdige Zeyttung. Von Hundert vnd vier vnd dreyssig Unholden* (1583).

65. *Ein New kläglich Lied / von dem grossen schaden der Unholden* (1583).

66. Kuntz, *Newe zeitung. Von einer Erschrecklichen That* (1579).

67. "Es betawren sie nur die kleinen Kindlein / vnd das vnschuldige Blut / so durch diß Wetter sollen vmbkommen": *Warhaffte vnd glaubwirdige Zeyttung. Von Hundert vnd vier vnd dreyssig Unholden.* See also Wiltenburg, *Disorderly Women and Female Power,* 247–50.

68. See Cheesman, *The Shocking Ballad Picture Show,* 85–118. I am indebted to his insightful analysis of the prodigal-son story.

69. See, e.g., *Warhafftige Newezeitung / Von einem Wirthe / in Osterreich* (1584); *Warhafftige vnd zuuor vnerhörte newe Zeitung / so sich im Böhmer waldt in einem Wirtßhauß zum Stock begeben . . .* (Prague, 1609), in Brednich, *Die Liedpublizistik im Flugblatt des 15. bis 17. Jahrhunderts,* no. 116.

70. "Es gibt kaum einen Stoff, der so oft im Liede gestaltet worden ist, zählt doch unsere soeben gegebene Übersicht nicht weniger als neun verschiedene sangbare Volksdichtungen unterschiedlicher Epochen. Und hierzu gesellt sich eine fast unübersehbare Menge an Prosavolksdichtungen": Deutsches Volksliedarchiv, *Deutsche Volkslieder mit ihren Melodien,* 4:286.

71. Ibid., 4:300. The story also appeared as fact in an English pamphlet, *Newes From Perin in Cornwall: Of A most Bloody and vn-exampled Murther . . .* (London, 1618), reprinted in Foster, *Reprints of English Books,* no. 36. See also Cheesman, *The Shocking Ballad Picture Show,* 85–118; Aarne, *Types of the Folk-Tale,* 939A: Killing the Returned Soldier.

72. See the classic discussion in Robert Darnton, "Peasants Tell Tales," in Darnton, *The Great Cat Massacre,* 9–65.

73. *"Von einem vngeratenen Sohn":* see Werner, *Zwischen Mittelalter und Neuzeit;* Wiltenburg, "Family Murders."

74. Heinrich Julius von Braunschweig, "Tragoedia."

75. See Harrington, *Reordering Marriage and Society in Reformation Germany;* Roper, *The Holy Household.*

76. In contrast to blood spilled in properly virile fashion: see Lyndal Roper, "Blood and Codpieces," in Roper, *Oedipus and the Devil,* 107–24.

77. See, e.g., Harpham, *On the Grotesque,* 3–14.

78. Martin, *Myths of Renaissance Individualism,* 101–2.

79. Roper, *Witch Craze;* Macfarlane, *Marriage and Love in England;* Hartman, *The Household and the Making of History.*

80. See Behringer et al., *Kulturelle Konsequenzen der "Kleinen Eiszeit."*

81. See Harrington, *Reordering Marriage and Society in Reformation Germany,* 91–92; Robisheaux, *Rural Society and the Search for Order;* Roper, *The Holy Household* and *Oedipus and the Devil.*

6 Training the Imagination

1. Roper, "Witchcraft and the Western Imagination," 120.

2. See Brann, *The World of the Imagination,* 57–63.

3. For an argument emphasizing the experiential aspect of early modern reading, see Gross, "Seeing the World in Print." On uses of the imagination to raise religious emotion, see, e.g., Karant-Nunn, *The Reformation of Feeling,* 56–57.

4. Roth, *Mord-Leich Predigt / Bey Begräbnüs / derer Vier erschlagenen vnd halb verbrenneten Cörper.*

5. "Mein gelebster Leser / es ist leider Gott erbarms ein erschrockliche Neue zeitung vber die ander . . . das mir mein Hertz zerspringen wil / vnnd meine Augen zu wasser wöllen werden / nit weiß ich wie es vmb dich sicht denn deren viel sind / die jnen kein glauben geben / dieweil sies nit antrifft / vnd als erlogen vnd erdicht muß

sein": *Drey Wahafftige [*sic*] Newe Zeitung. Die sehr erschröcklich sind / Die erst vo[n] der Statt Straßburg. . . . Die Ander von Peter Niern* (1582).

6. "Jedoch vor grossem Hertzlaid vnd trawren / Javil mehr vor entsetzung Menschlicher Natur / wird solches kein Scribent leichtlich verbringen mögen": *Ware Abcontrafectung ainer erbärmlichen / vnd erschröcklichen Newen Zeytung / so sich zu Erlingen / 4. Meil Wegs von Augspurg . . . verlauffen . . .* (Augsburg, 1589), in Strauss, *The German Single-Leaf Woodcut,* 3:948.

7. "Jetzt komm ich nun zum Anefang / mein Hertz möcht mir zuspringen / mein gemüht ist schwer / mein Hertz ist kranck / mein augen die thun rinnen / von wegen der schröcklichen That / so diser jetzt begangen hat / mit seinem Weib vnd Kindern": *Wahre Abcontrafactur vnd eygentliche Abbildung* (1616).

8. *Eigentliche verzeichnis der erschrecklichen vnd grewlichen Mortthat . . .* (Magdeburg, 1572), in Harms and Schilling, *Die Sammlung der Zentralbibliothek Zürich,* 2:48–49, no. 24.

9. *Copia / Der Erschröcklichen Geschicht / Bläsin Endrisen* (1585). The first of these images was also deemed appropriate decoration for a later pamphlet on cases of witchcraft, fraud, and murder: *Drey warhafftige newe Zeittung / Die Erste / von vilen Hexen vnnd Vnhulden* (1594).

10. *Anno XXXIIII / am freytag noch Sonntag Judica / hat Hans Reichart Glaser von Dietfurt / Burger allhie zu Regenspurg / an peynlicher frag / Nachmals auch gütlich bekendt / Wie hernach volgt* (Nuremberg, 1534), in Geisberg, *The German Single-Leaf Woodcut,* 4:1207.

11. *Ein Erschröckliche vnerhörte Newe Zeyttung / von einem grausamen Mörder . . .* (Augsburg, 1585), in Harms and Schilling, *Die Sammlung der Zentralbibliothek Zürich,* 2:162; Schwanfelder, *Warhafftiger Bericht von dem jämmerlichen vnd erbärmlichen Mordt.*

12. Geisberg, *The German Single-Leaf Woodcut,* 4:1548; see also Harms and Schilling, *Die Sammlung der Zentralbibliothek Zürich,* 1:38–39.

13. Leonhard Thurneysser zum Thurn, *Warhafftige Abconterfeyung oder gestalt / des angesichts Leupolt Jüden* (n.p., 1573), in Harms and Schilling, *Die Sammlung der Zentralbibliothek Zürich,* 2:69, no. 34; *Melcher Hedeloff / in gemein genant Schüzze Melcher / Ein Ertz-Meuchel-Mörder / vnd Strassen-Räuber . . .* (Schweidnitz, 1654), in Alexander and Strauss, *The German Single-Leaf Woodcut,* 2:432.

14. Wirri, *Ein Wunnderbarliche erschrockenliche Warhafftige geschicht* (1553). Another version is in Strauss, *The German Single-Leaf Woodcut,* 1:219.

15. "Das einem sein Hertz zerspringen mög / ob diser schröcklichen Geschicht / wie du hie thust schawen": *Wahre Abcontrafactur vnd eygentliche Abbildung* (1616).

16. *Adj den Ersten tag Martij jm Lxx Jar hat man diese nachfolgende zwen Mörder gericht . . .* (Prague, 1570), in Strauss, *The German Single-Leaf Woodcut,* 1:162.

17. One of the images was recycled from a 1542 broadside on an earlier killing (the same that inspired a woodcut portrait of the killer, see above); Harms and Schilling, *Die Sammlung der Zentralbibliothek Zürich,* 1:38–39, 2:76–79.

18. *Abbildung des erschrecklichen abschewlichen vnd erbermlichen Mords / Welcher zu Hall in Sachsen . . . begangen worden an Jacob Spohr . . .* (Leipzig, 1605), in Alexander and Strauss, *The German Single-Leaf Woodcut,* 2:718.

19. “Verwundt sie so grausam / das nicht daruon zu schreiben”; “denen hat er die Hälß vmbgetriben / da man sie morgens funden / sind jre Angesichter zu ruck gestanden”: *Copia / Der Erschröcklichen Geschicht / Bläsin Endrisen* (1585), 213.

20. See Bakhtin, *Rabelais and His World;* Ferguson, *Modernity and Subjectivity,* 29–33.

21. Waldis, *Eyne warhafftige vnd gantz erschreckliche historien.*

22. “Thet sich bald auff machen / lieff herauß nackend vnd bloß / deß muß sie da jhr leben lohn”: *Ein Jämerlich vnd Erbärmlich new Lied / Von einem jungen Gesellen* (1573), A3.

23. *Drey Warhafftige Newe Zeittungen. Die Erste / Von dem gewaltigen . . . Wetter* (1598).

24. “Do meynt die mayd er wölt mit hackn”; “Do schlug ers hinden auff das gnick / Wenn ich dran denck ich selbs ershrick / Das eim sein todt also ist bschert / Der sich mit got vnd eren nert / Die meyd was frum vnd arbetsam / Darumb ee Liechtmeß zuher kam / Geschach nach jr gar manche frag / Wem sy zu teyl wardt der was fro”; *Kauff vnd liß mich / wann ich warn dich* (1519), A3.

25. “Jm nichts böß zu trawet”: *Ware Abcontrafectung ainer erbärmlichen / vnd erschröcklichen Newen Zeytung,* in Strauss, *The German Single-Leaf Woodcut,* 3:948.

26. “Er het seins selbs nymmer gwalt”: *Kauff vnd liß mich / wann ich warn dich* (1519), A4v.

27. “Kein böß er nie hat begangen / biß er ward durch des Teüffels strick / letzlich doch gefangen”: fragment of the title page, *Die Drit / von einem Küffer Christoff Bihl genanndt / Welcher 9. seiner Kinder jemerlich hat vmbgebracht* (1580), Zentralbibliothek Zürich, Wick F29, item 110, fol. 213.

28. “Ihrn willen schafft des Teuffels kunst”: Waldis, *Eyne warhafftige vnd gantz erschreckliche historien,* A2.

29. “Da het der Teuffel den Vatter schon gantz vnnd gar eingenommen / vnd besessen / das er auch seins eygnen Fleisch vnnd Bluts nicht verschont”: *Copia / Der Erschröcklichen Geschicht / Bläsin Endrisen* (1585), 212a (A2v).

30. “Verzweifflet Schalck”: Strauss, *The German Single-Leaf Woodcut,* 2:493.

31. “Als bey dem alle natürliche angeborne blutstrew verloschen”: *Warhafftige vnd schröckliche Newe zeitung / von einer Fürnemmen Person* (1585), A2v.

32. “Gar nichts gieng jhm zu Hertzen”: *Zwo Warhafftige Newe Zeitung / Die erst / Von einem Mörder / der sein Ehelich Weib / vnnd Sechs Kinder ermördet hat* (1599), A2v.

33. *Die Chroniken der deutschen Städte,* 15:129–34.

34. “Mayster Hans was thut yhr da”; “du Pößwicht, wiltu mich dann da ermörden”: *Anno XXXIIII / am freytag noch Sonntag Judica / hat Hans Reichert Glaser von Dietfurt / Burger allhie zu Regensburg / an peynlicher frag / Nachmals auch gütlich bekendt / Wie hernach volgt* (Nuremberg, 1534), in Strauss, *The German Single-Leaf Woodcut,* 4:1207.

35. “Aber alles inn yhm selbs gedacht / was wiltu thun / thun es nit / vnd also vnderlassen bleyben / biß er es doch zu letst leyder also volbracht hab”; “so were ein rew inn yhn gefallen / das er jm gedacht / Ach Gott was willt da thun”: ibid.

36. See Kittsteiner, *Die Entstehung des modernen Gewissens,* 98–99; Sabean, *Power in the Blood,* 35, 171.

37. "Beist sein Zeene / Zusam[men] / vnd schlegt gantz grimmiglich / Mit der Keulen jhn jämmerlich / Zu todt / ohn alls erbarmen": *Eine schreckliche Historia / die zum Lauben geschehen ist* (1589), A2v.

38. "Mit bösen Gwissen / . . . Sein Hertz thut jhm zufliessen / Für leydt / weil er solchs hat gethan / Drumb kan er auch kein ruhe han / Stelt sich selbst in Gefengniß"; "Mit Weheklagen vnd spatter Rew / Gedenckt auch an des Vaters Trew / Die er jhm offt erzeiget"; "Vnd keiner spricht / Was machen wir?": ibid., A3v.

39. For examples of how pastors fished for conscience-stricken feelings in preparing the condemned for execution, see Kittsteiner, *Die Entstehung des modernen Gewissens, 336–37*.

40. "Allen bösen Buben zum schrecken / vnd den Frommen Kindern zur Warnung geschrieben / Das sie jhre Eltern ehren / jhnen gehorsamen / vnd sich für solcher bösen That hüten sollen"; "Zu Ehren vnd Wolgefallen einem Ehrnvhesten / Erbaren vnd Wolweysen Rath / vnd der gantzen Christlichen Gemeine zum Lauben": *Eine schreckliche Historia / die zum Lauben geschehen ist,* A1v.

41. Martin, *Myths of Renaissance Individualism,* 30–40.

42. "Wo du gedult hast in der peyn / So wirt sie dir gar nutzlich sein / Darumb gib dich willig darein": Kohler and Scheel, *Die Bambergische Halsgerichtsordnung,* xlix.

43. For a different pattern in English sources, see Royer, "Dead Men Talking."

44. This parallels the shift away from bodily punishment noted in Foucault, *Discipline and Punish.*

45. "Vnd der sein vernunfft het nit recht," (A2); "vnd das es roch" (A5v); "Der arm der schrey es geht nit recht / Zeüch auß vnd stoß jn anders ein / Vnd daß die bitter Marter mein / Dester länger an mir möcht wern" (A6v, fol. 9a); "Das will ich alles leyden gern / Dann ich es wol verschuldet han / Vnd het ich hundert Mordt gethan / Betrübt es mich nicht also hart / Das ich dem jungen Mäydlin zart / Sein leben nam auch an der stat / Das mich so schön vnd freüntlich bat / Lieber Barthel laß mich leben / Jch will dir all mein Docken geben" (A6–A6v): Haß, *Ein Spruch von einem Peckenknecht.*

46. "Er antwort jm mit worten leyß / Bruder ich will mit allem fleyß / Als war als du mein Bruder bist / Will ich sterben ein rechter Christ. / Das wort erbarmet vil leüt ohn zal / Fünff stund die lebt er an dem pfal": ibid., A7.

47. "Ein Kind der Säligkait"; "O ein yederman nem zhertzen / Wie er mit dem grossen schmertzen / Dannocht so lang mochte leben / Vnd mocht red vnd antwort geben": ibid., A7v, A7.

48. "Kam erst sein hertz in engstlich klag": *Kauff vnd liß mich / wann ich warn dich* (1519), A5v.

49. "Sich thet da all sein menscheyt schmigen / Sein redt erlag sein krafft entgieng"; "Do schrey er seer vnd iemmerlich / Er hets verdient sunst barmets mich": ibid., A6v.

50. "Gab stets eins guten christen scheyn / Er het den pfall schon in dem hals / Das er nach sprach den priestern alls / Mit fleyß was sie jm gaben ein / Sprach o got nym mein herte pein / Fur mein sundt vnd mein missethat / Auch von jm selbs geschrochen hat / O heylger zwelffpot stee mir bey / Treyb wenig wort mer vnd kein schrey": ibid., A7.

51. "Ach Gott du frommer Christen Mensch . . . er sprach ich fahr ins Himmelreich / Gott bhüt all Menschen Kinder": *Warhafftige Zeitung. Von etlichen Jesuwittern. . . . Die ander Zeitung. So sich zu Hall im Ihnthal mit einem Burger* (1607), A4v.

52. "Als sie nun sahe den schmertzen / an jrem lieben Kind / Da gienge der Mutter zu hertzen / sprang in das fewr geschwind / vnd nam die Wiegen an jren Arm / Vnd schrey mit lauter stimme / O helfft das Gott erbarm": *Klägliche newe Zeitung Von einem Jungen Gesellen / Wie er seinen Vatter erschlagen hat* (1583), 143a.

53. "Nicht gerad von leibe." I use the pronoun "she" in accordance with contemporary definition, although it seems posthumously heartless when even the Nördlingen officials, who insisted on her femaleness, allowed her to die like a man—in men's dress and by beheading instead of drowning. For other early modern gender crossers, see, e.g., Lindemann, "Gender Tales"; Dekker and Van de Pol, *The Tradition of Female Transvestism in Early Modern Europe.*

54. "Dem Ersammenn vnnd weisenn, hannsenn Portnern, burgenn vnnd deß Ratts zue Regenspurg, vnnsern lieben herrnn vnnd freundt"; Stadtarchiv Nördlingen, Kriminalakten, Eva Barbiererin 1565, 54.

55. "Man wußt noch nichts fürware / mein schalckheyt gfiel mir wol": *Wunderbarliche vnnd seltzame Geschicht* (1566), A2v.

56. "Jch dacht mir heimelichen / ich wurd nicht wol bestan": ibid., A3v.

57. "Ich wolt darzu han recht / thet frölich schreyen vnd singen / mein trauren das war klein / ich meint ich wölts nauß bringen / es solt mir nicht mißlingen / in dem kam der Bott heim": ibid., A3v.

58. "Ich sucht vil newer fünd / noch war es als vergeben / kein außred halff mich nicht": ibid., A4.

59. "Jch würd nicht lon daruone / jr lieben Herren mein / mit Rauberey ich schone / dahin mich geben hone / es wirt nicht anders sein": ibid., A4v.

60. "Bitt euch auch alle sonder / laßts euch zu hertzen gan / ob ich schon weltlich schanden / muß heut da erstanden / gib ich den willen drein": ibid., A5.

61. Cf. Ariès, *The Hour of Our Death,* 308. See also von Krustenstjern, "Seliges Sterben und böser Tod."

62. "Verrucht vnd gottloß aufferzogn / gar ellend hin vnd wider zogn / vnd all Gebott Gottes schandlich / vbertretten hab / bekenn ich": *Ein schön Klaglied: Welches Andres Mosser sonst Rauchlein genannt / vor seinem End erdichtet* (ca. 1626).

63. *Zwey schöne Klaglieder Das Erste / Welches Hans Winter von Zwickaw / auß dem Land zu Meichsten / vor seinem End gedichtet* (1627).

64. *Valet-Lied A.M.T.G.D. Wegen durch Gifft Ertödteten Ehmanns Peinlich leidenden Sünderin* (1665).

65. "Megära Mir behende / den Becher reichte dar / nim hin / was Ich Dir sende / sprach Sie: es sol fürwahr / niemand diß Werck entdecken / es bleibt verschwigen still / Ich liß Mein Hertz bald stecken / in Ihrem bösen Will": ibid., A2–A2v.

66. "Das Gewissen drauf erwachte / klagt an die Ubelthat / der Teuffel heimlich lachte / der Mich gefangen hat / Ich schrie hinauff gen Himmel / zu retten meine Seel": ibid., A2v.

67. "Heute werd ich sterben / und den Himmel erben / heute seh ich Gott; Eh die Uhr wird schlagen / wird man von mir sagen: Ach! Er ist schon tod! Er ist hin / begra-

bet ihn / deckt den Leib mit kühler Erden / Erde muß er werden": *Bericht / Von einer erschrecklichen und grausamen Mordthat* (1683), A2.

68. "Ach! wo müssen bleiben / meines Sohnes Schreiben; klagt das Mutter Hertz; Mutter euch hat troffen / ein vergeblich hoffen / ich bin Himmel werts / da bin ich / da find ihr mich": ibid., A2v.

69. *Zwey schöne newe Geistliche Lieder* (1677).

70. From about 1 percent of the sixteenth-century sample to a little under 10 percent in the seventeenth century, for those who like figures.

7 Staging the Lamentable Theater

1. *Warhafftige newe Zeytung vnd traurige Geschicht / Welche sich begeben vnd zugetragen hat in einem Flecken Moß genandt* (1618); *Ein erschröckliche Zeitung vnd Geschicht. So sich im Berner gebiet mit einem Meyer begeben* (1620); *Ein erschröcklich und traurige Neue Zeitung welche sich hat begeben und zugetragen / in dem 1672. Jahre / ein Stund von Baden in der Eydgnoschafft* (1673); *Valet-Lied A.M.T.G.D. Wegen durch Gifft Ertödteten Ehmanns Peinlich leidenden Sünderin* (1665).

2. E.g., Wäscher, *Das deutsche illustrierte Flugblatt,* 58; *Zwo erschreckliche / abschewliche / vast vnerhörte / erbarmliche Mordthaten* (1637).

3. Cologne does show a dip in crime, but this does not appear to be typical: see Schwerhoff, *Köln im Kreuzverhör,* 458–59, 468.

4. *Zwo vnerhörte vnd schröckliche Zeitungen / Die erste / wie daß ein Kauffmans Sohn sich an eine Dienst-magd verlobt . . .* (n.p., 1650), in Brednich, *Liedpublizistik,* no. 120; *Eigentlicher Bericht und traurige Zeitung / Von unterschiedlichen Wunderzeichen. . . . Erbärmliche Neue Zeitung / Von einer ungehorsamen Tochter* (1673). For another reuse of earlier rhymes in a second crime, see *Zwo Warhafftige Newe Zeitung / Die erst / Von einem Mörder / der seine Ehelich Weib / vnnd Sechs Kinder ermördet hat* (1599) and *Zwo warhafftige gewisse vnd erschröckliche Newe Zeitung* (1623).

5. "Sprach sie der alte hund / ich brächt jhn bald vmbs leben / wann ich es vollenden kont"; "Zwey Knaben da geruhten / sich keiner gefahr besorgten / ihres Vatters scharpffen Degen / der hieng da an der Wandt / da thät sie noch ein Jammer / die Köpff in ihre Hand / sie warff sie da von dannen gar schmertzlich an die Wand": Brednich, *Die Liedpublizistik im Flugblatt des 15. bis 17. Jahrhunderts,* no. 120.

6. *Adj den Ersten tag Martij jim Lxx Jar hat man diese nachfolgende zwen Mörder gericht . . .* (Prague, ca. 1570), in Strauss, *The German Single-Leaf Woodcut,* 1:162; *Warhafftige Newe Zeitung / so geschehen den Ersten tag Martij im 70. Jar* (ca. 1570).

7. "Durch mich Georg Bognern / dises Orts Amptschreiber / selbsten beschrieben": Bogner, *Warhafftige und Gründtliche Gerichts Registratur.*

8. *Eine warhafftige vnd erschreckliche Newe Zeitung von dem grossen Mörder Melcher Hedloff* (1654).

9. "Unerhört-begangenen grausamen und schröcklichen": *Wahrhafftiger und gründlicher Bericht von den Unerhört-begangenen grausamen und schröcklichen Mordthaten* (1661).

10. Harsdörffer, *Frauenzimmer Gesprächspiele;* title translation from Hess, "Georg Philipp Harsdörffer," 149.

11. *Grosse SchauPlatz Lust und Lehrreicher Geschichte.*

12. Harsdörffer, *Der Grosse SchauPlatz Jämerlicher Mordgeschichte* (1650). I follow the translation of titles in Hess, "Georg Philipp Harsdörffer."

13. Harsdörffer, *Frauenzimmer Gesprächspiele,* 2:126–30.

14. See VD 17, http://www.vd17.de. My thanks to Terry McIntosh for his question about publication history.

15. Hess, "Georg Philipp Harsdörffer," 154.

16. Camus, *L'amphithéâtre sanglant.*

17. On his nondogmatic revisions of religious content, see Doms, "Wann ein Frantzos."

18. Harsdörffer, *Der Grosse SchauPlatz jämerlicher Mordgeschichte* (1650), frontispiece, part 1: "Nothwendige Vorrede an den Neugierigen Leser"; part 5: "Vorrede"; part 7: "Vorrede."

19. Ibid., no. 182: "Ungeborner Kinder Hertzen."

20. "Nichts ungläubiges / das nicht geschehen könte / in dem gantzen Buch befindlich": ibid., part 1: "Nothwendige Vorrede an den Neugierigen Leser," 18.

21. "Weil der Wille nicht wil gezwungen / und mit Gewalt beherrschet werden / wie die Lehrgesetze / welche sich auch auf gute Ursachen gründen / befehlen wollen: Die Exempel aber gleichsam stillschweigend die Belohnung deß Guten / und Abstraffung deß Bösen anführen / und also den freyen Willen nicht nöhtigen / sondern zu der Gebührleistung und dienlicher Nachfolge / sittsamlich geleiten": ibid., part 7: "Vorrede." On the seventeenth-century movement toward education based on real experience rather than precept, see Wilhelm Kühlmann, "Pädagogische Konzeptionen," in Notker Hammerstein and August Buck, eds., *Handbuch der deutschen Bildungsgeschichte,* vol. 1 (Munich: C. H. Beck, 1996), 153–96, esp. 170–76.

22. Harsdörffer, *Der Grosse SchauPlatz jämerlicher Mordgeschichte* (1650), part 6, no. 136: "Die gezüchtigte Ehebrecherin," 239–48.

23. On Harsdörffer's detached style of narration, see Hess, "Georg Philipp Harsdörffer," 154.

24. See ibid.; Theiss, *"Nur die Narren und Halßstarrigen,"* 900; for another view on Harsdörffer's style, Siebenpfeiffer, "Narratio Crimen," 171–74.

25. See Frevert, *Men of Honor,* 11.

26. Harsdörffer, *Der Grosse SchauPlatz jämerlicher Mordgeschichte* (1650), part 3, no. 56: "Die gestrafften Balger," 36–42.

27. See Grimm and Grimm, *Deutsches Wörterbuch,* s.v. "balgen, balger." Poets liked to rhyme the word "balgen" with "galgen" (gallows) and tended to include it in such sequences as: "einen buhler, einen zänker, / einen balger, einen stänker [a rake, a quarreler, a brawler, a stinker]."

28. Billacois, *The Duel,* 97, 104.

29. Harsdörffer, *Der Grosse SchauPlatz jämerlicher Mordgeschichte* (1650), no. 17: "Die entdeckte Verrähterey"; no. 72: "Die unkeusche Mutter."

30. Ibid., no. 41: "Der verrähterische Schwager."

31. Ibid., no. 25: "Die blinde Unkeuschheit"; no. 86: "Die kurtze Freud."

32. Ibid., no. 161: "Die verachte Verachtung," 84.

33. Ibid., no. 152: "Die rechtmässige Betrübnis," 15–16.

34. Ibid., no. 132: "Der doppelte Ehebruch."

35. Ibid., no. 21: "Die eiferige Fürstin."

36. Harsdörffer, *Der grosse Schauplatz jämmerlicher Mordgeschichte* (1988), 118–20; Harsdörffer, *Der Grosse SchauPlatz jämmerlicher Mordgeschichte* (1650), no. 88: "Der mörderische Diener." The plot was thicker still, as the first to discover the bodies was a shoemaker who was afraid to notify authorities and instead stole some money and goods. A month later the shoemaker quarreled with his wife, who betrayed him, and the goods were found in his cellar. Although he withstood torture and insisted that he was innocent of the killings, he was executed.

37. Harsdörffer, *Grosse SchauPlatz,* no. 200: "Der Vatermörder"; no. 82: "Der gottlose Sohn."

38. Ibid., no. 99: "Der rasende Vater."

39. Ibid., no. 44: "Die Amazonin."

40. Ibid., no. 187: "Bestraffung der Winkel-Ehe."

41. "Der Ehebruch ist eine abscheuliche Sünde / welche nicht genugsam kan gestraffet werden / deßwegen auch die Gesetze (wieder das fünffte Gebot) zugelassen / daß der Mann / welcher sein Weib in solchem Verbrechen ergreiffet / sie ungestrafft . . . ermorden darff": ibid., no. 87: "Der grausame Maxentius," 221–22.

42. For the latter, see ibid., no. 181: "Der bestrafte Diebstahl."

43. Ibid., no. 112: "Ehebruchsrug"; no. 136: "Die gezüchtigte Ehebrecherin."

44. "Die Richter hielten diese rechtmäßige Rache vielmehr der Verzeihung, als Bestrafung, würdig, weil auch einem Mann in dergleichen Verbrechen Rache auf handhafter Tat zu üben verlaubt, und ginge sie also gerechtfertiget in ihr Hause": ibid., no. 28: "Der unverschämte Ehebrecher," in Harsdörffer, *Der grosse Schauplatz jämmerlicher Mordgeschichte* (1988), 48–52; Camus, *L'amphithéâtre sanglant,* 335–36.

45. Harsdörffer, *Der Grosse Schauplatz jämmerlicher Mordgeschichte* (1650), no. 13: "Die rechtmässige Rache."

46. Ibid., no. 91: "Die keusche Verzweiffelung."

47. Ibid., no. 30: "Der listige Ehebrecher."

48. "Wollte den Verlust ihrer Ehre nicht überleben (wiewohl sie die Jungfrauschaft des Gemüts unverletzt erhalten)": ibid., no. 23: "Die großmütige Rache," in Harsdörffer, *Der grosse Schauplatz jämmerlicher Mordgeschichte* (1988), 39–41. Harsdörffer translated this passage from Camus: see Camus, *L'amphithéâtre sanglant,* 305.

49. See Smith, *Sexual Violence in German Culture,* 39.

50. See Habermas, *Structural Transformation of the Public Sphere.*

51. See Ulbricht, *Kindsmord und Aufklärung in Deutschland,* 231–35, 357–61; Kord, "Women as Children, Women as Childkillers." For a recent case study, see also Myers, *Death and a Maiden.*

52. Habermas and Hommen, *Das Frankfurter Gretchen,* 32–34. My thanks to Lyndal Roper for drawing this comparison to my attention.

53. See Willems, "Der Verbrecher als Mensch"; Kord, "Women as Children, Women as Childkillers."

54. Harsdörffer, *Der Grosse SchauPlatz jämmerlicher Mordgeschichte* (1650), no. 140: "Der unerhörte Kinder-Mord." Another infanticide appears in ibid., no. 24: "Das

Zeugnis deß Geblüts," a story titled for the bleeding of the infant corpse that revealed the crime.

55. The average was somewhat under one case per year: see Harrington, *The Unwanted Child,* 54.

56. Staatsarchiv Nürnberg, Rep. 52b, Rst Nürnberg, Amts- und Standbücher Nr. 224, fols. 52–55.

57. Harsdörffer, *Der Grosse SchauPlatz jämmerlicher Mordgeschichte* (1650), no. 110: "Die bestraffte Unzucht," 80–84.

58. "Eine leichtfertige gemeine Dirne"; "Schleppe"; "vielleicht benebens andern sich mit ihr sündlich vermischet": ibid., 81.

59. "Betrübte sich deßwegen hertzlich / daß er Ursacher ihres und seines Kindes Tod / und lässet sich durch den Mordgeist verleiten / daß er nach Hause kehret / sich in einen Brunnen stürzet / und also sein selbst Henker wird": ibid., 83–84.

60. "Bleibet doch ein böses Gewissen / welches zu der Todesstunde auffwachet und den Ubelthäter verdammet": ibid., no. 30: "Der listige Ehebrecher."

61. "'Dieses', sagte sie, 'ist der Lohn meiner Eitelkeit: Ich sterbe in meinem 26. Jahr und wünsche, daß solches den ersten Augenblick meines Lebens geschehen wäre, so hätte ich GOTT nicht so beharrlich erzörnet. Ihr Weibspersonen, nehmet ein Beispiel und lernet mit meinem Schaden klug werden. Verfluchte Freiheit! Ach, hätte ich meiner lieben Mutter gefolget, so würde ich itzund nicht diesen Schauplatz betreten und die Hauptperson in diesem Trauerspiel sein. Ach, hätte ich meines lieben Vaters Vermahnungen und nicht vielmehr meiner Torheit gefolgt, so sollte ich von diesem schmählichen Tod befreiet sein! Liebe Kinder, folget euren verständigen Eltern, wann ihr nicht gleich mir Unverständigen dem Henker wollet in die Hände kommen. Nun, mein GOTT, es muß gestorben sein! Sei mir barmherzig nach deiner großen Barmherzigkeit": ibid., no. 52: "Die verdiente Bestraffung," in Harsdörffer, *Der grosse Schauplatz jämmerlicher Mordgeschichte* (1988), 89–90. Cf. *Mercure François,* 1609, 330r–331v, http://mercurefrancois.ehess.fr.

62. "Landulph / ein kühner oder vielmehr verwägner Soldat (ich sage verwägen / dann die Tapferkeit zwischen der blöden Zagheit und dollen Kühnheit ihre mittlere Tugendstelle hat": Harsdörffer, *Der Grosse SchauPlatz jämmerlicher Mordgeschichte* (1650), no. 152: "Die rechtmässige Betrübnis," http://www.zeno.org/Literatur/M/Harsdörffer,+Georg+Philipp/Prosa/Der+Grosse+Schauplatz+jämmerlicher+Mordgeschichte/Der+Siebende+Theil/152.+Die+rechtmässige+Betrubnis, 538.

63. "Orlandina versahe sich nichts weniger / als einer Untreue / und kostet also die verbotene Frucht viel Threnen / in dem die Anzeichen der reifen Reue erfolgten / und sie sich wieder verhoffen schwanger befande"; "Welche ihren Ehestand also anfangen / erfahren daß sie nicht klüglich gehandelt / und glauben die Mannspersonen / daß sie auch andern nicht abschlagen würde / was sie ihnen zulasse / und daß der Weiber Gebrechligkeit sich erstrecke so weit ihre Begierden langen": ibid., 538–39.

64. *Wohl-verdientes Todes-Urtheil, Sambt Einer Abschieds-Rede Des Johann Stachus* (1752).

65. "O Schröcken-volles Bild! O bleicher Angst-Commete, / Entsetzliches Gerüst!

wo die Gerechtigkeit / Dem Unrecht aufbehält ihr blutigs Hauß-Geräthe, / Hab ich ein solches Grab mein Leib dir zubereit?": ibid., A2.

66. "Das Schwerdt: O Donner-Wort!"; "Der Smertz belähmet mir die Zung": *Wohl-verdientes Todtes-Urtheil Nebst einen Trostreichen Gespräch Zwischen den Todt und der armen Sünderin Der Juliana Ingerlin* (1753).

67. See Hull, *Sexuality, State, and Civil Society in Germany.*

Conclusion

1. Susan Karant-Nunn has recently pointed to the central role of feeling in Reformation religious discourses: see *The Reformation of Feeling,* esp. 248–50.

2. See Spierenburg, *A History of Murder.*

3. See also the argument on the active role of the news-reading public in Davis, *Factual Fictions,* 74.

4. Paul Griffiths, paper presented at seminar on the Late Middle Ages, Oxford University, Spring 2009.

5. See Faller, *Turned to Account;* Davis, *Factual Fictions.*

6. See Schulze, *Ego-Dokumente.* On criminal records, see Schnabel-Schüle, "Ego-Dokumente im frühneuzeitlichen Strafprozeß."

7. See Foucault, *Discipline and Punish* and *The History of Sexuality;* Silverman, *Tortured Subjects.*

8. Roxburghe Ballads 1:182, British Library, London, reprinted with slight variations in Chappell and Ebsworth, *The Roxburghe Ballads,* 1:554–58.

9. See Wiltenburg, "True Crime" and "Ballads and the Emotional Life of Crime."

10. See Herrup, *The Common Peace,* 3–6, 198–99.

11. "Blutschänder, Mordbrenner und Mörder zugleich, den Gesetzen nach, und doch ein Jüngling von edler Seele"; "Mörderin, Unkeusche, Mordbrennerin, und doch ein gutes, nur Mitleid werthes Mädchen": Dainat, "Der unglückliche Mörder," 519n.

12. See Willems, "Der Verbrecher als Mensch."

13. See Halttunen, *Murder Most Foul,* 4.

14. See Willems, "Der Verbrecher als Mensch."

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Bericht / Von einer erschrecklichen und grausamen Mordthat / Zweyer gottlosen Kinder oder Bauren-Söhne / so ihren alten Vater umb einer geringen Ursach halber auf seinem eigenen [b]auren Hof / eine Meilwegs von Braunschweig gelegen / Görtze genannt / jämmerlich ermodet. So geschehen in diesem 1683. Jahr. . . . Hamburg, 1683. Deutsches Volksliedarchiv, Freiburg, from Germanisches Nationalmusem, Nuremberg.

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Ein erschröckliche jedoch warhafftige vnd erbärmliche Newe-Zeitung / Von Häxenmeisteren vnd Zauberern / von welchen so vil zarte Jugend durch deß leydigen Teüffels Betrüg seynd verführt werden. . . . Augsburg, 1666. Staatsbibliothek zu Berlin, Ye 7541.

Eine erschröckliche Mord-Geschicht / So sich zugetragen Anno 1741. den 14ten Tag May zu Ramsen im Hegäu / Stockacher-Herrschafft, Welcher Bößwicht, Jacob Sigerist. . . . N.p., 1741. Deutsches Volksliedarchiv, Freiburg; original in Stadtbibliothek Schaffhausen.

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berg / eines Pfarrers Sohn / erschröcklich ermordet. N.p., 1687. Stadtbibliothek Nürnberg.

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Newe zeitung: Wie wunderbarlich Gott / den vnmenschlichen vnd vom Teuffel zugerichten grossen Bauch / an der Jungfrawen zu Eszlingen / offenbaret hat / Damit sie etliche jhar her / vnzelich viel menschen umb gros gut vnd gelt betrogen. . . . Erfurt, 1551. Staatsbibliothek zu Berlin, Flugschr. 1550–4.

Newe Zeyttung / Waarhaffte Histori von der Mörderischen vnnd erbärmblichen that / so durch die Jesuwiter zu Crackauw in Polen geschehen / vnd wie sy darumb jhren verdienten lon empfangen. Danzig, 1586. Zentralbibliothek Zürich.

Newe Zeyttung. Warhafftige bericht vnd beschreibung / von viij. Zügeiner vnd vj. Frawen / vnd ein Hütergesel / was sich von dem 75. isten jar an / biß auff das achtzichst zugetragen haben / als mit Mord Diebstal vnd Zaubereyen / vnd was sie bekendt haben wies der Tirck in das Teüschland geschickt hat. . . . Augsburg, 1580. Herzog August Bibliothek, Wolfenbüttel.

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Geheimen Gerichten Gottes / Von welchen wir Menschen nicht können genau urtheilen / sondern müssen sie dem Allerhöchsten lassen: Durch Gelegenheit Einer erbärmlichen Mordthat / Da eine Mutter / eine fromme Frau / zweene ihrer lieben und eignen Kinder ermordet. . . . Budißin, 1670. Herzog August Bibliothek, Wolfenbüttel.

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Valet-Lied A.M.T.G.D. Wegen durch Gifft Ertödteten Ehmanns Peinlich leidenden Sünderin. N.p., 1665. British Library, London.

Wahre Abcontrafactur vnd eygentliche Abbildung: Der gantz trawrigen vnd erbärmlichen Mordthat / welche sich begeben vnd zugetragen hat in disem 1616. Jahr / den 13. Januari / deß Abends umb 11 uhr / In einem Dorff Bentarode genant / im Obergericht Münden / ein meil wegs von Cassel: Wie allda ein Mann mit Namen Michel Mosentheuer / seines Handwercks ein Schmid sein Weib vnd Schwigermutter / sampt 5. Kinder Jämmerlicher weise vmbs Leben gebracht / Auch sich selbst letzlichen erschossen. . . . Augsburg, 1616. Herzog August Bibliothek, Wolfenbüttel; online via VD 17, no. 23:677552Y.

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Wahrhafftiger und gründlicher Bericht von den Unerhört-begangenen grausamen und schröcklichen Mordthaten Ehebruchs / Hurerey / Bluttschande / Sodomiterey / Mordbrandt / und Diebstalen / der einander Nahe verwandten Personen / als Hans Liehmans sonst Weinhans genannt / und dessen Eheweibs Barbara Kindesfresserin. . . . Breslau, 1661. Staatsbibliothek zu Berlin, Fy 10270.

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Ein ware gschicht vnd newe Zeitung / Von einem falschen Meitlin. . . . N.p., n.d. Staatsbibliothek zu Berlin, Ye 7266.

Warhaffte Historische Abbild: vnd kurtze Beschreibung / was sich unlangst in deß Heyl: ReichsStatt Augspurg / mit einer ledigen / von einem stummen Teuffel besessen Weibspersohn / vnd jhren zweyen Zauberischen Wartterinnen zugetragen. . . . Augsburg, 1654. Online at http://de.wikisource.org/wiki/Augspurg_von_einem_stummen_Teuffel_besessen_Weibspersohn.

Warhaffte Historische Beschreibung: Wie ein Gottloser Mensch bey Meintz / mit Namen Schelkropff die Bildnuß Christi / Mariae / vnnd anderer Heiligen verwundet / darauß das Blut geflossen / und wie er derentwegen gestrafft worden. Mainz, ca. 1634. Bayerische Staatsbibliothek. Online at http://mdz10.bib-bvb.de/~einblattdrucke/images/300001099_0_r.pdf.

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Warhaffte vnd glaubwirdige Zeyttung. Von Hundert vnd vier vnd dreyssig Unholden / So vmb Jrer Zauberey halben / diß verschinen 1582. Jars / zu Gefencknus gebracht. . . . Strasbourg, 1583. Bayerische Staatsbibliothek.

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Ein warhafftig newes lied / von jhren vieren vom Adel / welche mit jhrem namen in diesem Lied gemeldt werden / Wie die selben Mörderischer weiß / durch einen Burgundischen angriffen / vnd wie es jnen ergangen / &c. Den sechsten tag Hewmonat / Jm 1570. Jar. Strasbourg, ca. 1570. Zentralbibliothek Zürich, Wick F19, no. 25, fol. 89.

Ein warhafftig vnnd doch Erbermlich Geschicht / so sich begeben hat / zu Dürssenreit / von einem vngeratne[n] Ehrlosen Bößwicht / wie er ein Junge Tochter zu vnehrn begert / sich aber in irem willen sollichs nit befunden / hat er sie erbermlich vmbgebracht / vn[d] zu stucken gehawen / sie iemerlich geschendt. Eger, 1573. Zentralbibliothek Zürich, Wick F22, no. 23, fols. 299–306.

Ein Warhafftig vnnd erbermliche Geschicht / Von einem vngeratnen Son welcher seine leibliche[n] Schwester hat notzwingen wöllen / auff das sie seines willens gethon solte haben / vnnd sie darüber ermordt / vnnd zu 16. stucken gehawen. . . . Eger, 1573. Universitätsbibliothek Tübingen.

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Warhafftige Newe Zeitung / so geschehen den Ersten tag Martij im 70. Jar / hat man diese nachfolgenden zwen Mörder gericht / einer mit namen Martin Farkas / der ander Paul Wasansky / zu Ewantzitz im Merhern Land. . . . Bautzen, ca. 1570. Bayerische Staatsbibliothek.

Warhafftige Newe Zeitung / von dem Herlichen und erschrecklichen Feüers-Brunst / Jn der Türckey. . . . Noch Eine Traurige und Warhafftige Geschicht / Von einer erschrecklichen Mordt-Thatt / Welches sich begeben und zugetragen hat / zwischen die grosse und weitberühmte Stadt Lübeck und Ratzeburg . . . auff einer wolbekandten Mühle . . . da der Müller selb vierdte jämmerlich ümbgebracht. . . . N.p., 1672. Niedersächsische Staats-

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Warhafftige Newezeitung / Von einem Wirthe / in Osterreich. . . . Regensburg, 1584. Staatsbibliothek zu Berlin, Flugschr. 1584/3.

Warhafftige Newe zeytung. Vnd ein Traurige Geschicht / in ein Lied verfast / von einer vngezognen Tochter . . . in der Statt Remis. . . . Cologne, 1589. Staatsbibliothek zu Berlin, Ye 4845.

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Warhafftige vnd Erschröckliche Newe Zeittung / von einem Edelmann im Land zu Sachsen / wie derselbige auß blutdurstigen gemüt / in die Achthundert Personen jung vnd alt / bey Nächtlicher weil jämerlich ermorden vnd vmbringen lassen. Leipzig, 1579. Zentralbibliothek Zürich, Wick F28, fol. 174.

Warhafftige und erschröckliche newe Zeitung. Von etlichen Jesuwittern. . . . Die ander Zeitung. So sich zu Hall im Ihnthal mit einem Burger. . . . Stuckard, 1607. British Library, London.

Warhafftige vnd ersckreckliche [sic] *Newe Zeittung / von eines Sältzers Weibe / wie dieselbige in abwesen jhres Mans / jhrer eigener Kinder viere / durch anreitzung des Teuffels jemmerlich vnd erbärmlich ermordet hat / Geschehen im Landt zu Hessen / in einem Dorff Weidenhausen bey Eschwehe / den 20. Augusti / des 1578. Jares.* N.p., ca. 1578. Staatsbibliothek zu Berlin, Ye 4415 (fragment).

Ein warhafftige vnd gründtliche Beschreibung auß dem Bistum Würtz- vnd Bamberg . . . wie man alda so vil Hexen Mann vnd Weibspersohnen verbrennen laßt. . . . N.p., 1627. Herzog August Bibliothek, Wolfenbüttel; Wikisource, VD 17, no. 23:293541Q.

Warhafftige vnd schröckliche Newe zeitung / von einer Fürnemmen Person / welche durch verfürung deß bösen Feindes / vnd grimmigem zorn / auff ein mal Acht mordt verbracht. . . zu Wangen im Algäw. . . . Lauingen, 1585. Staatsbibliothek zu Berlin, Flugschr. 1585–12.

Ein warhafftige vnd vnerhörte Geschicht / von einem Müller / welcher sein Weib vnd Sechs Kinder jemmerlich ermordet und vmbgebracht . . . in der Schlesien / zu Sprotten. . . . Planitz, 1597. Deutsches Volksliedarchiv, Freiburg, from Staatsbibliothek zu Berlin, Ye 5196.

Warhafftige vnd zuvor Vnerhörte erschröckliche newe Zeitung: Von einem Mörder / sampt seinem Weyb vnd Tochter. So Anno 1602. zum Heyligen Berg / den 30. December gericht worden. Costantz, ca. 1602. British Library, London.

Warhafftige vrgicht vnd bekantdnus / der Landtgräfischen diener / Hanse Eckern von Gelhausen / Bürger zu Cassel / vnnd Wilhelmen von Werden. . . . N.p., 1547. Staatsbibliothek zu Berlin, Flugschr. 1547/14.

Warhafftige zeittung / von Peter Nierschen vnnd seiner Gesellschafft / wie sie vierhundert vnd viertzig mordt bekant / so sie all zehen gethon haben / auch wie vnnd wo sie Gerichtet seind worden. . . . Tübingen, 1577. Zentralbibliothek Zürich, Wick F26, no. 56, fols. 129–131v.

Ein warhafftige Zeitung Von dreyen Sondersiechen / Auch einem Weib / welche in Mährn nit weit von Osterlitz / ein Müller mit sampt seinem Weib und Haußgesind umbgebracht / 800. Gülden darvon getragen / Auch wie es ist an tag kommen / unnd offenbahr durch ein Hündlein worden ist / und endlich ist gericht worden. Brin, 1612. Staatsbibliothek zu Berlin, Ye 5836.

Ein Warhafftige Zeitung. Von etliche Hexen oder Vnholden. . . . N.p., 1603. Staatsbibliothek zu Berlin, Ye 5581.

Ein warhafftigen bericht vnd neuwe zeittung von einem kloster . . . von der Aabtissin welche grosse vnzucht getrieben mit einem vogt welche zehen kinder mit im gehabt / vnnd dieselbigen jämerlich ermördt . . . Cologne, 1599. Staatsbibliothek zu Berlin, Ye 5301.

Warhafftiger Bericht / Von dem erbärmlichen Todtschlage / so sich in der weitberümbten Stadt Halle in Sachsen begeben / vnd geübt worden / an einem Jubilierer Jacob Spor von Antorff / Bürger zu Franckfort am Mayn / wie der in einem Hause jämmerlich erschlagen. . . . N.p., 1605. Online at http://de.wikisource.org/wiki/Von_dem_erbärmlichen_Todtschlage_an_einem_Jubilierer.

Warhafftiger bericht / von dem erschröcklichen Mordt / an acht vnd achtzig Christlichen / vnschüldigen personen / vmb des Euangelions willen / zu Montalto / im Königreich Naplis begangen. Nürnberg, 1561. Zentralbibliothek Zürich.

Ein warhafftiger / grundtlicher Bericht vnd newe Zeitung: Was sich mit einem vollen Weinschlauch vnd seinem ehelichen Weib / die groß schwanger gewesen. . . . Erfurt, 1616. British Library, London.

Warhafftiger und gründlicher Bericht / Von der jüngsthin in Ofen vorgehabten entsetzlichen Verrähterey / wie dieselbige entdecket; Und wie der Haupt-Verrähter Nicol. Finck von Finckenstein / deßwegen zur gebührenden Straff gezogen / und hingerichtet worden. . . . N.p., 1687. Bayerische Staatsbibliothek, Res. 4 Crim. 140, 25.

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———. *Eygentlicher vnnd warhaffter bericht / der grausamen that / so geschehen ist zu Obernehen / in dem Elsaß / Da ein Burger / drey seiner rechten / Leyblichen / vnd Ehelichen Kinder / jemmerlich erstochen / ermördt vnd vmbbracht hat.* N.p., 1556. Staatsbibliothek zu Berlin, Flugschr. 1556–5.

———. *Ein Wunnderbarliche erschrockenliche Warhafftige geschicht / so geschehen ist in ainer Statt / gelegen inn dem Elseß / genandt Rychenwyler von ainem Burger der sich selbs / vnd sein Weib auch Kind inn Mutter Leib ermördt hat / wie dann dise figur anzaigt.* N.p., 1553. Bayerische Staatsbibliothek; another edition is in Zentralbibliothek Zürich.

Wohl-verdientes Todtes-Urtheil Nebst einen Trostreichen Gespräch Zwischen den Todt und der armen Sünderin Der Juliana Ingerlin. . . . Munich, 1753. Bayerische Staatsbibliothek, 4 Bavar. 3006, I:8a.

Wohlverdientes Todesurtheil nebst einer Moralrede des Sebastian Muhrer. . . . N.p., 1771. Bayerische Staatsbibliothek.

Wohl-verdientes Todtes-Urtheil Sambt einem Traur-Gespräch, und bschid-Lied Deß Sebasatian Lintzer. . . . Munich, ca. 1760. Bayerische Staatsbibliothek.

Wohl-verdientes Todes-Urtheil, Sambt Einer Abschieds-Rede Des Johann Stachus. . . . Munich, 1752. Bayerische Staatsbibliothek, 4 Bavar. 3006, I:7.

Wunderbarliche vnnd seltzame Geschicht / so sich hat zugetragen / Jn der Keyserlichen Freyen Reychstatt Nörlingen / Von einem Weybsbild / die sich für ein Manns person außgeben hat / Jst auch inn Mannskleidern gangen / mit jhrem rechten Tauffnamen Eua Balbiererin von Glotz / hernach in Gesangsweiß gestelt. Basel, 1566. Zentralbibliothek Zürich.

Ein Wunderbarlich vnd vnerhört Erschröcklich Histori / so sich verloffen hat / zu Lutzern im Schweyzerlandt. . . . Nuremberg, 1560. Zentralbibliothek Zürich.

Ein Wunderbarliche / vnerhörte vnd warhafftige geschicht von einer Junckfrawen / geschehen zu Klein Leupsch bey Mückenbergk &c. Zwickau, 1544. Staatsbibliothek zu Berlin, Flugschr. 1544/6.

Zäuberische Zeitung / Wie eine Hexin durch Teuffelszkunst jren Sohn mit sonderlichen Aberglaubischen dingen zum Wildschiessen befülfflich gewesen. . . . Cologne, 1589. Herzog August Bibliothek, Wolfenbüttel.

Zween Erschreckliche geschicht / Gesangs weise. Die Erste / von einem Wirt im Allgergaw / Bastian Schönmundt genandt. . . . Die Ander / Eine erschreckliche vnd Warhafftige Newe Zeitung . . . zu Langenberck . . . das ein schwanger Weib vom Teuffel besessen / jren Man sampt drey Kindern / auch sich selbs mit jhrer Leibesfrucht jemmerlich ermordt vnd vmbgebracht hat. N.p., 1596. Staatsbibliothek zu Berlin, Ye 5141.

Zwey erschreckliche Newe Lieder / Das erste von einem Kinde / das geborn ist in Yfland / . . . Das ander von einem Manne / der seine Fraw verkaufft / welche schwanger gieng. N.p., 1580. Staatsbibliothek zu Berlin, Ye 4529.

Zwey schöne Klaglieder Das Erste / Welches Hans Winter von Zwickaw / auß dem Land zu Meichsten / vor seinem End gedichtet / als er selb fünfft / den 20. De- cember / 1626. von wegen seiner begangenen mis- ssethat / in der Statt Basel / vom leben zum todt / ist gerichtet worden. N.p., 1627. British Library, London.

Zwey schöne newe Geistliche Lieder. Das Erste: Ein Liedlein will ich singen . . . Gestellt durch Benedict Gfeller von Tegertschen / in seiner Gefangenschafft. . . . N.p., 1677. Deutsches Volksliedarchiv, Freiburg; original in Stadtbibliothek Bern.

Zwey überaus schöne Lieder. Das erste: Von einer erschröcklichen Mord-Geschicht / Welche sich in dem letztern Jahr bey einem Meyerhof zwischen Eberstein und Rheinfels begeben. . . . N.p., n.d. Staatsbibliothek zu Berlin, Yd 7855(7).

Die Zwischen der Schwedischen Besatzung In Carlsburg . . . Accords-Puncten . . . Neben Erzehlung Einer grausamen an zwey Schwestern vollzogenen Mordthat. N.p., 1676. Bayerische Staatsbibliothek.

Zwo erschreckliche / abschewliche / vast vnerhörte / erbarmliche Mordthaten. . . . Strasbourg, 1637. Herzog August Bibliothek, Wolfenbüttel.

Zwo Hexen Zeitung / Die Erste: Auß dem Bißthumb Würtzburg. . . . Tübingen, 1616. Wikisource, VD 17, no. 23:626143G.

Zwo Newe vnd Erschröckliche Zeittungen Von Vier Vbelthäteren / deren einer ein Jud / so in dreyssig tausent Gulden wehrt gestolen. . . . Augsburg, 1615. Wikisource, VD 17, no. 23:231473R.

Zwo newe Zeittung / Die Erste / Ein erschröcklich vnd sehr erbärmlich Geschicht / so geschehen ist den letzten Februarij / in diesem Achtzigsten Jar in Braband. . . . N.p., 1580. Staatsbibliothek zu Berlin, Ye 4527.

Zwo newe Zeitung / Die erste. Von einem Jüngling / welcher sein leiblichen Vatter erschlagen darnach sein Hauß angezündt . . . zu Baselick in Pomern. N.p., ca. 1583. British Library, London.

Zwo Newe Zeitung / Die Erste / Was sich zu Lisibon ein Hauptstatt in Spannien begeben hat / mit einer Abtissen. . . . N.p., 1591. British Library, London.

Zwo Newe Zeitungen / Die erste . . . zween falsche Juden. . . . Vienna, 1599. Bayerische Staatsbibliothek.

Zwo warhaffte / newe vnnd grundliche Beschreibungen / die erste meldet vnd zeigt an von dreyen erschröcklichen Waldmörderen. . . . N.p., 1668. Staatsbibliothek zu Berlin, Ye 7571.

Zwo warhaffte wunder seltzame neuwe Zeitung. Die Erste: Wie hundert mal tausend / vnd sechs vnd neuntzig tausent Juden . . . dem Türcken in das Landt gefallen. . . . Die Ander: Von einer erschrecklichen Mörder Geschicht / zu Leuckh im Wallißland den 26. Augusti dieses 96. Jahrs verlauffen. . . . Lindau am Bodensee, 1596. Staatsbibliothek zu Berlin, Ye 5136.

Zwo warhafftige gewisse vnd erschröckliche Newe Zeitung. Die Erste: So sich zu Windischen Buch / im Boxberger Ampt gelegen. . . . Die ander: Ist ein erschröckliche vor nie erhörte Newe Zeitung von einem vngerathenen Ehemann / Georg Weiß genannt / welcher den 4. May / dieses lauffenden 1623. Jahrs / sein Weib sampt seinen fünff Kindern / erbärmlich vmbgebracht hat / vnd wie er hernach gerichtet worden / zu Befert im Elsasser Land. Darbey ein schön Geistlich Lied / einer Jungfraw welche 6. Jahr vnnd 2. Monat Kranck gelegen. . . . Rotenburg ob der Tauber, 1623. Deutsches Volksliedarchiv, Freiburg; original in Staats- und Stadtbibliothek Augsburg.

Zwo warhafftige newe Zeitung. Die erste / Eine erschreckliche vnd warhafftige newe zeitung / wie sich im 1597. Jahre / zu Newmarckt 4. meil von Preßla hat zugetragen / das ein schwanger Weib vom Teufel besessen / jhren Mann sampt dreyen Kindern / auch sich selbst mit jhrer Leibsfrucht jämerlich ermordet vnd vmbgebracht hat. Vienna, 1597. Staatsbibliothek zu Berlin, Ye 5206.

Zwo Warhafftige Newe Zeitung / Die erst / Von einem Mörder / der seine Ehelich Weib / vnnd Sechs Kinder ermördet hat / geschehen inn der berümpten Statt Prüßeln / in der Schlessien. . . . N.p., 1599. Staatsbibliothek zu Berlin, Ye 5311.

Zwo warhafftige new zeitung / Die Erste. Von einer vnerhörter schrecklichen Geschicht / so sich in diesem jtzigen 97. Jare zugetragen / zu Langenberg / im Kölschen Lande / Wie ein schwanger Weib vom Teuffel besessen / die jren Eheman / mit dreyen Kindern / sampt jhrer Leibesfrucht jemmerlich ermordet / vnd sich hernach sebst erhencket. N.p., 1597. Staatsbibliothek zu Berlin, Ye 5208.

Zwo warhafftige newe Zeitung / Die Erste / Welch sich begeben vnd zugetragen hat in der Stadt Braunschweig den 16. Martij / Anno 1605. . . . Die ander newe Zeitung / Von einer Magd vnnd Knechte . . . wie sie den Herrn sampt der Frawen / vnd drey Kinder jämmerlich ermordet haben. . . . Magdeburg, 1605. Staatsbibliothek zu Berlin, Yd 7852.23.

Zwo warhafftige trawrige newe Zeitungen . . . Die erste / von einem Undervogt zu Bergen. . . . Freiburg, 1623. British Library, London.

Zwo Warhafftige / vnd doch Männiglich zuvor bekante [sic] *Newe Zeitungen. Die Erste / Von dem grossen Jammer / Welcher sich begeben in der Marggraffschafft Baden / wie allda schon vber die fünfftzig Hexen / Mann / Weib / Knaben und Mägdlein / sein verbrant worden. . . .* Moltzen, 1626. Wikisource, VD 17, no. 23:250479P.

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